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

LEGISLATIVE OPERATING COMMITTEE MEETING AGENDA REVISED

Business Committee Conference Room - 2nd Floor Norbert Hill Center
March 18, 2026
9:00 a.m.

I. Call to Order and Approval of the Agenda

II. Minutes to be Approved

1. March 4, 2026 LOC Meeting Minutes (pg. 2)

III. Current Business

1. Code of Ethics Amendments (pg. 5)
2. Pardon and Forgiveness Law Amendments (pg. 40)
3. Recycling and Solid Waste Disposal Law Amendments (pg. 69)
4. Budget and Finances Law Amendments (pg. 112)
5. Boards, Committees, and Commissions Law Amendments (pg. 158)

IV. New Submissions

V. Additions

VI. Administrative Updates

1. Certification of Leasing Law Rule No. 2 – Agricultural Leasing Amendments (pg. 207)

VII. Executive Session

VIII. Recess/Adjourn

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LEGISLATIVE OPERATING COMMITTEE MEETING MINUTES

Oneida Business Committee Conference Room-2nd Floor Norbert Hill Center
March 4, 2026
9:00 a.m.

Present: Jameson Wilson, Jennifer Webster, Kirby Metoxen, Jonas Hill
Unexcused: Marlon Skenandore
Others Present: Grace Elliott, Carolyn Salutz
Others Present on Microsoft Teams: Rae Skenandore, Ashley Blaker, Rhiannon Metoxen, Clorissa Leeman, Kaylynn Beily, Trina Schuyler, Fawn Billie, Kristal Hill, Tavia James-Charles, Fawn Cottrell, Peggy Helm-Quest, Melissa Alvarado. Grace Koehler, Joel Mikulsky, Misty Lee Herzog, Sidney White, Ralinda Ninham-Lambries, Ronald Van Schyndel, Linda Dallas, Terri Schiltz, Diane Wilson.

I. Call to Order and Approval of the Agenda

Jameson Wilson called the March 4, 2026, Legislative Operating Committee meeting to order at 9:00 a.m.

Motion by Jennifer Webster to adopt the agenda; seconded by Kirby Metoxen. Motion carried unanimously.

II. Minutes to be Approved

1. February 18, 2026 LOC Meeting Minutes

Motion by Kirby Metoxen to approve the February 18, 2026, LOC meeting minutes and forward to the Oneida Business Committee; seconded by Jennifer Webster. Motion carried unanimously.

III. Current Business

1. Elder Protection Law

Motion by Jonas Hill to approve the legislative analysis and the public meeting packet for the Elder Protection Law and forward to a public meeting to be held on April 16, 2026; seconded by Kirby Metoxen. Motion carried unanimously.

2. Uniform Commercial Code. Motion by Jennifer Webster to approve the legislative analysis and the public meeting packet for the Elder Protection Law and forward to a public meeting to be held on April 16, 2026; seconded by Kirby Metoxen. Motion carried unanimously.

3. Real Property Law. Motion by Jennifer Webster to approve the updated draft, legislative analysis, and the public comment review memorandum for the proposed amendments to the Real Property law; seconded by Jonas Hill. Motion carried unanimously.

4. Real Property Law. Motion by Jonas Hill to direct the Finance Department to provide the LOC with a fiscal impact statement of the proposed amendments to the Real Property law; seconded by Jennifer Webster. Motion carried unanimously.

5. Higher Education Grant Law. Motion by Jennifer Webster to approve the updated draft, legislative analysis, and the public comment review memorandum for the Higher Education Grant law; seconded by Jonas Hill. Motion carried unanimously.

6. Higher Education Grant Law. Motion by Kirby Metoxen to approve the updated draft, legislative analysis, and the public comment review memorandum for the proposed amendments to the Higher Education Grant law; seconded by Jonas Hill. Motion carried unanimously.

7. Recycling and Solid Waste Disposal Law Amendments. Motion by Jennifer Webster to accept the public comments and the public comment review memorandum and defer to a work meeting for further consideration; seconded by Jonas Hill. Motion carried unanimously.

8. Eviction and Termination Law Amendments. Motion by Jennifer Webster to approve the public meeting packet for the Eviction and Termination Law Amendments and forward to a public meeting to be held on April 16, 2026; seconded by Kirby Metoxen. Motion carried unanimously.

9. Petition: G. Powless-Buenrostro – Accountability Measure Options for BC and BCC's #2025-04. Motion by Jennifer Webster to accept the statement of effect for the Petition: G. Powless-Buenrostro – Accountability Measure Options for BC and BCC's #2025-04 and forward to the Oneida Business Committee; seconded by Jonas Hill. Motion carried unanimously.

10. Petition: G. Powless-Buenrostro – Amend the Administrative Rulemaking Law #2025-05. Motion by Jennifer Webster to accept the public comments and the public comment review memorandum and defer to a work meeting for further consideration; seconded by Jonas Hill. Motion carried unanimously.

11. Budget and Finances Law Amendments. Motion by Jennifer Webster to accept the public comments and the public comment review memorandum and defer to a work meeting for further consideration; seconded by Jonas Hill. Motion carried unanimously.

IV. New Submissions

V. Additions

VI. Administrative Updates

1. E-Poll Results: Safe Neighborhoods Law Emergency Adoption. Motion by Jennifer Webster to enter into the record the results of the February 23, 2026, e-poll entitled, Safe

Neighborhoods Law Emergency Adoption; seconded by Jonas Hill. Motion Carried unanimously.

VII. Executive Session

VIII. Adjourn

Motion by Jennifer Webster to adjourn at 10:24 a.m.; seconded by Jonas Hill. Motion carried unanimously.

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Legislative Operating Committee
March 18, 2026

Code of Ethics Law Amendments

Submission Date: 10/26/22	**Public Meeting:** N/A
LOC Sponsor: Jennifer Webster	**Emergency Enacted:** N/A

Summary: *This item was carried over from last four (4) terms. Amendments to the Code of Ethics are being sought to strengthen accountability of employees, elected officials, and appointed officials. On October 26, 2022, the Oneida Business Committee adopted a motion to request the Legislative Operating Committee to consider deletion of section 103.7 from the Code of Ethics.*

10/4/23 LOC: Motion by Jonas Hill to add the Code of Ethics Law Amendments to the Active Files List with Jennifer Webster as the sponsor; seconded by Marlon Skenandore. Motion carried unanimously.

4/1/25: *Work Meeting*. Present: Jameson Wilson, Jonas Hill, Kirby Metoxen, Fawn Cottrell, Kristal Hill, Grace Elliott. The purpose of this meeting was to begin the initial review of the Code of Ethics. The history of the Code of Ethics and related laws were considered prior to reading through the law.

5/5/25: *Work Meeting*. Present: Jameson Wilson, Jennifer Webster, Fawn Billie, Fawn Cottrell, Kristal Hill, Clorissa Leeman, Carolyn Salutz, Grace Elliott. The purpose of this meeting was to review potential reporting processes and a draft reporting form.

5/13/25: *Work Meeting*. Present: Matthew Denny, Rita Reiter, Laura Laitinen-Warren, Grace Elliott. The purpose of this meeting was to hear initial thoughts from the Human Resource Department on the Code of Ethics.

6/6/25: *Work Meeting*. Present: Jameson Wilson, Jonas Hill, Kirby Metoxen, Marlon Skenandore, Kristal Hill, Clorissa Leeman, Carolyn Salutz, Grace Elliott. The purpose of this meeting was to review feedback from the Nation's human resource, law enforcement, and gaming divisions in relation to the Nation's Code of Ethics. The LOC determined to eliminate the program and enterprise sections from the law as they are addressed in the Nation's personnel, policies, and procedures, and to focus on expanding the government official ethics sections.

7/28/25: *Work Meeting.* Present: Jameson Wilson, Jennifer Webster, Jonas Hill, Marlon Skenandore, Carolyn Salutz, Fawn Billie, Fawn Cottrell, Kristal Hill, Grace Elliott. The purpose of this meeting was to review the overlap in conflict of interest regulation in the Conflict of Interest law and the Code of Ethics. The LOC

A good mind. A good heart. A strong fire.

determined that all government official conflict of interest subject matter should be aggregated and addressed within the Code of Ethics law exclusively.

10/17/25: *Work Meeting*. Present: Jameson Wilson, Jennifer Webster, Kirby Metoxen, Fawn Cottrell, Kristal Hill, Rhiannon Metoxen, Laura Laitinen-Warren, Carolyn Salutz, Grace Elliott. The purpose of this meeting was to review the section of the draft addressing a potential prohibition on elected officials applying for positions within the Nation while in office.

11/14/25: *Work Meeting*. Present: Jameson Wilson, Kirby Metoxen, Jennifer Webster, Jonas Hill, Fawn Cottrell, Rhiannon Metoxen, Grace Elliott, Kristal Hill. The purpose of this meeting was to review the revised employment application section, alternate definitions, tone and language adjustments, gifts and honorarium section, enforcement and restorative justice sections, and identify next steps.

11/19/25: *Work Meeting*. Present: Grace Elliott, Peggy VanGheem. The purpose of this meeting was to collaborate with the Law Office, receive questions or concerns, and identify suggestions that may be incorporated into the draft or flagged for further group discussion.

1/9/26: *Work Meeting*. Present: Jameson Wilson, Kirby Metoxen, Jennifer Webster, Laura Laitinen-Warren, Carolyn Salutz, Clorissa Leeman, Grace Elliott, Peggy VanGheem, Kristal Hill, Fawn Cottrell, Rhiannon Metoxen. The purpose of this meeting was to review the draft amendments against the checklist to ensure that the latest edits met expectations.

1/15/26: *Work Meeting*. Present: Jameson Wilson, Jennifer Webster, Laura Laitinen-Warren, Carolyn Salutz, Grace Elliott. The purpose of this meeting was to review documentation related to the decision to focus the Code of Ethics on the OBC. Consensus was to continue on this path.

1/29/26: *Work Meeting*. Present: Jameson Wilson, Jennifer Webster, Jonas Hill, Kirby Metoxen, Carolyn Salutz, Clorissa Leeman, Grace Elliott. The purpose of this meeting was for the LOC to reconsider the scope of the Code of Ethics. LOC determined that the Code of Ethics be limited to Oneida Business Committee based on information provided that employees are effectively regulated by the Personnel, Policies and Procedures and Conflict of Interest laws, BCCs are effectively regulated under the BCC, Conflict of Interest, and Removal laws—in addition to the fact that the BCC and Conflict of Interest laws are both currently open on the Active Files list and may be amended as necessary to enhance already present protections. Additionally, the LOC has accepted several requests for stand alone laws to address OBC ethics related matters that can be most efficiently and effectively addressed under the Code of Ethics.

2/4/26: *Work Meeting*. Present: Jameson Wilson, Jennifer Webster, Jonas Hill, Clorissa Leeman, Carolyn Salutz, Grace Elliott. The purpose of this meeting was for the LOC to review various sections of the draft law. Decision was made to remove any references to enforcement provisions.

2/16/26: *Work Meeting*. Present: Jameson Wilson, Jennifer Webster, Jonas Hill, Kirby Metoxen, Carolyn Salutz, Grace Elliott. The purpose of this meeting was review the entire draft for potential LOC approval and to specifically review the reporting processes for gift and conflict of interest disclosures. The LOC requested definitions for "sacred trust" and information on federal standards for meeting conduct and acceptance of gifts. Follow-up is scheduled for 2/18/26.

2/18/26: *Work Meeting*. Present: Jameson Wilson, Jennifer Webster, Jonas Hill, Kirby Metoxen, Carolyn Salutz, Kristal Hill, Fawn Billie, Grace Elliott. The purpose of this meeting was to review definitions of sacred trust language and review federal standards for employees and elected officials' acceptance of gifts. The LOC chose to incorporate all six definitions of sacred trust within the law, and determined to set the gift reporting threshold at one thousand dollars to address the request for reporting lavish gifts.

2/23/26: *Work Meeting*. Present: Jameson Wilson, Jennifer Webster, Jonas Hill, Kirby Metoxen, Carolyn Salutz, Kristal Hill, Fawn Billie, Grace Elliott. The purpose of this meeting was to review sacred trust language placement within the law and refine language.

3/4/26: *Work Meeting*. Present: Jameson Wilson, Jennifer Webster, Jonas Hill, Kirby Metoxen, Carolyn Salutz, Kristal Hill, Fawn Billie, Clorissa Leeman, Grace Elliott. The purpose of this meeting was to complete a read through of the entire law for LOC review and initial approval to move forward through the legislative process.

Next Steps:

- Approve the draft Code of Ethics law amendments, legislative analysis, and public meeting packet for the Code of Ethics law amendments and schedule a public meeting to be held on May 14, 2026.

CODE OF ETHICS LAW AMENDMENTS LEGISLATIVE ANALYSIS

SECTION 1. EXECUTIVE SUMMARY

Analysis by the Legislative Reference Office	
Intent of the Legislation or Amendments	▪ Update the Code of Ethics so it clearly focuses on the Oneida Business Committee, bringing all expectations for how leaders should conduct themselves into one easy-to-understand law. *[1 O.C. 103.1–103.4]*. ▪ Integrate the Great Law of Peace into the ethical foundation, affirming decision-making grounded in peace, unity, and thoughtful deliberation as cultural mandates for governance. *[1 O.C. 103.3-1(c)]*. ▪ Ground the ethical framework in the Good Mind teachings, infusing leadership obligations with humility, compassion, clarity, and community-centered thinking. *[1 O.C. 103.1-2]*. ▪ Articulate the concept of Sacred Trust, emphasizing leadership as a duty held on behalf of past, present, and future generations rather than an individual entitlement. *[1 O.C. 103.4-1(c)]*. ▪ Clarify the definition of "Conflict of Interest" to encompass financial, personal, and political interests affecting leaders and their immediate families, reinforcing impartial stewardship. *[1 O.C. 103.3-1(a)]*. ▪ Mandate transparent disclosure of conflicts, ensuring ethical clarity consistent with the Good Mind's call for honesty and openness in governance. *[1 O.C. 103.4-2(a)]*. ▪ Require OBC members to recuse themselves from matters in which conflicts exist, upholding the Great Law of Peace's expectation that leaders avoid self-interest. *[1 O.C. 103.4-2]*. ▪ Implement structured annual and as-needed conflict-of-interest filings, creating accountability mechanisms that reinforce responsible leadership. *[1 O.C. 103.4-2(c)(1)–(3)]*. ▪ Modernize gift and honoraria reporting by increasing financial thresholds and updating reporting processes to better reflect contemporary governance realities including public disclosure. *[1 O.C. 103.4-9(b)]*. ▪ Prohibit acceptance of gifts tied to influence or business advantage, protecting the Nation's decision-making from external pressure and maintaining community trust. *[1 O.C. 103.4-9(a)]*. ▪ Regulate OBC members' applications for positions that report directly to the Committee, preventing conflicts before they arise and strengthening procedural fairness. *[1 O.C. 103.4-8]*. ▪ Safeguard confidential information by restricting its use for personal, financial, or political benefit, aligning with the Haudenosaunee value of responsible and respectful speech. *[1 O.C. 103.4-3]*. ▪ Promote fairness and impartiality in leadership actions, ensuring decisions are made through unbiased judgment grounded in the Good Mind and collective well-being. *[1 O.C. 103.4-5]*.

	▪ Prohibit nepotism in hiring, supervision, and resource decisions, maintaining equitable access and protecting the legitimacy of OBC leadership.*[1 O.C. 103.4-7]*. ▪ Reinforce accountability and transparency as essential qualities of public office, affirming that OBC authority flows from the people and must remain answerable to them. *[1 O.C. 103.4-6]*. ▪ Elevate cultural accountability by requiring OBC members to conduct themselves in ways that honor Oneida identity, teachings, and responsibilities. *[1 O.C. 103.4-11]*. ▪ Strengthen expectations for meeting attendance, preparation, and professional engagement, acknowledging that presence and participation are integral to carrying the Sacred Trust. *[1 O.C. 103.4-12]*. ▪ Codify a comprehensive list of prohibited behaviors—including retaliation, discrimination, misuse of office, and corruption—to uphold dignity and protect community confidence in leadership. *[1 O.C. 103.4-10]*. ▪ Align enforcement with broader Nation laws to ensure consistency, due process, and integrity in the handling of ethical violations. *[1 O.C. 103.5]*.
Purpose	The purpose of this law is to is to establish clear standards of conduct rooted in the values of the Oneida people, to guide those entrusted with authority in serving the Nation with honor and responsibility. These standards reflect the sacred trust between the government and the people, and are intended to promote integrity, uphold the will of the Nation, and preserve the confidence of the Oneida people. In a government founded upon the consent of the people, it is the right of the Oneida to expect loyalty, honesty, and accountability from those who serve. *[1 O.C. 103.1-1]*.
Affected Entities	Oneida Business Committee; Office of the Nation Secretary; Oneida Law Office; Elected Officials; Appointed Officials; Employees of the Nation and its enterprises.
Related Legislation	Boards, Committees, and Commissions law; Conflict of Interest law; Removal law.
Enforcement	Enforcement of this law shall be conducted in accordance with all applicable laws and regulations of the Nation. *[1 O.C. 103.5]*
Due Process	The Code of Ethics law incorporates core due process protections by clearly defining prohibited conduct and ethical obligations in advance, thereby providing notice to Oneida Business Committee members of the standards governing their conduct *[1 O.C. 103.4, 103.4-10]*. It establishes mandatory conflict-of-interest disclosure and recusal procedures to ensure impartial decision-making and prevent biased participation *[1 O.C. 103.4-2(a)–(c)]* and expressly prohibits retaliation against individuals who report unethical behavior, safeguarding fair enforcement and participation in accountability processes *[1 O.C. 103.4-10(e)]*. The law further reinforces due process through transparency and public accountability requirements, including open governance practices, public records, and disclosure of gifts and honoraria *[1 O.C. 103.4-6(b), 103.4-9(b)–(c)]*. Finally, enforcement is constrained by a requirement that all actions be taken in accordance with applicable Oneida laws, preventing arbitrary or ad hoc application *[1 O.C. 103.5]*.
Public Meeting	A public meeting has not yet been held.
Fiscal Impact	A fiscal impact statement prepared in accordance with the Legislative Procedures Act has not yet been requested.

SECTION 2. LEGISLATIVE DEVELOPMENT

A. ***Background.*** The Code of Ethics was previously adopted and amended as follows: minutes 10-21-91; resolution BC-11-23-94-A; emergency amendment BC-04-12-06-JJ; amended BC-09-27-06-E.

B. ***Request for Amendments.*** The Code of Ethics was carried over from last four (4) terms. Amendments to the Code of Ethics are being sought to strengthen accountability of employees, elected officials, and appointed officials. On October 26, 2022, the Oneida Business Committee adopted a motion to request the Legislative Operating Committee to consider deletion of section 103.7 from the Code of Ethics.

SECTION 3. CONSULTATION AND OUTREACH

- Representatives from the following departments or entities participated in the development of the amendments to this Law and legislative analysis:
  - Oneida Human Resources;
  - Oneida Gaming;
  - Oneida Police Department; and
  - Oneida Law Office;
- The following laws of the Nation were reviewed in the drafting of this analysis:
  - Conflict of Interest law
  - Removal law; and
  - Boards, Committees, and Commissions law.

SECTION 4. PROCESS

A. The amendments to this Law comply with the process set forth in the Legislative Procedures Act.
  - On October 4, 2023, the Legislative Operating Committee added this Law to its Active Files List for amendments.

B. At the time this legislative analysis was developed the following work meetings had been held regarding the development of the amendments to this law:
  - April 1, 2025: LOC work session.
  - May 5, 2025: LOC work session.
  - May 14, 2025: LOC work session with Human Resources.
  - June 6, 2025: LOC work session.
  - July 28, 2025: LOC work session.
  - October 17, 2025. LOC work session
  - November 19, 2025. LRO work session with the Oneida Law Office.
  - January 9, 2026: LOC work session with Human Resources and Oneida Law Office.
  - January 15, 2026: LOC work session Human Resources.
  - January 29, 2026: LOC work session.
  - February 4, 2026: LOC work session.
  - February 16, 2026: LOC work session.
  - February 18, 2026: LOC work session.
  - March 4, 2026: LOC work session.

SECTION 5. CONTENTS OF THE LEGISLATION

- ***Definitions.*** The proposed amendments to the Law remove definitions for terms that are no longer used in the law, including the following: Government Official *[1 O.C. 103.2(a)],* Administrative Staff *[1 O.C. 103.2(b)],* Program *[1 O.C. 103.2(c)],* Program personnel *[1 O.C. 103.2(d)],* Enterprise *[1 O.C. 103.2(e)],* Enterprise employees *[1 O.C. 103.2(f)].* Definitions are added or amended for the following terms: Administrative Staff *[1 O.C. 103.3-1(a)],* Conflict of Interest (expanded) *[1 O.C. 103.3-1(b)],* Family Member *[1 O.C. 103.3-1(e)],* Nation *[1 O.C. 103.3-1(f)],* Oneida people *[1 O.C. 103.3-1(g)].*
  - *Effect.* Updating the definitions to incorporate new terms, remove obsolete ones, and revise existing terms to reflect current practices enhances clarity and precision within the Law. These updates reduce ambiguity by clearly specifying the meaning of each term in context, thereby minimizing the risk of misinterpretation and legal disputes, and improving accessibility for all readers. Definitions clarify the scope and parties subject to the Code, and broadens conflict coverage to include real/apparent interests and immediate family relationships. These changes also affirm Oneida identity by defining the community explicitly, ensuring the law reflects relational accountability and cultural belonging. The expanded Conflict of Interest definition strengthens ethical protections by including family and political interests, not just financial ones.
- ***Good mind and Sacred Trust Framework.*** The proposed amendments incorporate the Good Mind teachings directly into the ethical foundation of the law. These teachings — including Kahletsyal̲lésla (encouraging the best in each other), Kanolukhwát^sla (compassion and identity), Kaʔnikuhli.yo̱ (openness of spirit), Kaʔtshatst^sla (strength of vision), Kalihwi.yo̱ (good words), Twahwahtsilay̲ʌ́ (we are all family), and Yukwatsistay̲ʌ́ (the fire within) — are identified as core expectations for OBC members. *[1 O.C. 103.1-2].*
  - *Effect*. This change re-roots the Code in Oneida cultural teachings, reinforcing that ethical leadership is not merely procedural but spiritual, relational, and reflective of ancestral values. It supports community understanding that leaders are called to uphold balance, compassion, truth, and unity when carrying out their responsibilities.
- ***Great Law of Peace Integration.*** The proposed amendments incorporate the Great Law of Peace into the definitions section as a guiding principle for leadership conduct and ethical deliberation. *[1 O.C. 103.3-1(c)].*
  - *Effect*. Incorporating the Great Law of Peace into the Code of Ethics reaffirms that OBC members must carry themselves with calm deliberation, peace, and a sense of collective responsibility. It places Haudenosaunee governance principles at the center of modern legislative expectations, strengthening continuity between ancient teachings and contemporary leadership.
- ***Scope of Law Clarified***. The proposed amendments to the Law update the scope of application exclusively to Oneida Business Committee members, removing outdated references to government officials, program personnel, and enterprise employees. *[1 O.C. 103.1-1].*
  - *Effect*. This clarification helps the community understand exactly who is accountable under the Code. It reinforces that ethical standards apply directly to the Oneida Business Committee, whose leadership role carries added responsibilities grounded in the Nation's laws and values. By aligning expectations with the authority entrusted to elected leaders,

the amendments ensure that governance remains consistent, transparent, and responsive to the needs of the Nation.

- ***Unified Standards of Conduct.*** The proposed amendments to the Law consolidate all ethical expectations into a single Standards of Conduct section. While the Scope section clarifies *who* the Code applies to, this structural change clarifies *where* the expectations are found. By bringing all standards into one location, the Code becomes easier for the community to understand and for elected leaders to follow, replacing the former multi-section format that applied differently to government officials, program personnel, and enterprise employees.
  - *Effect.* A unified Standards of Conduct section makes the Code more accessible to the public by collecting all expectations in one place. Community members no longer need to navigate multiple sections to understand what is expected from elected leadership. This change also reflects a shift in responsibility: OBC members hold the authority to act on behalf of the Nation, and it is appropriate that the ethical standards be tailored directly to their roles. The unified structure supports transparency and easier public engagement.
- ***Conflicts of Interest Procedures Strengthened.*** The proposed amendments to the Law introduce more detailed procedures for identifying, disclosing, and addressing conflicts of interest, including required annual and situational disclosure forms, agenda placement, and mandatory abstention when conflicts arise. *[1 O.C. 103.4-2(a)–(c)].*
  - *Effect.* These updates require that decisions affecting the Nation are made fairly and without personal interests affecting outcomes. By shifting to a structured, proactive approach, the amendments reduce the likelihood of hidden conflicts or confusion about disclosure obligations. For the community, this means increased confidence that OBC members act with clarity of purpose and integrity consistent with Good Mind teachings.
- ***Employment Application by OBC Members.*** The proposed amendments to the Law regulate when and how a member of the Oneida Business Committee may apply for a position within the Nation while still in office. The amendment requires an OBC member to provide written notice to the full Committee before applying for any position that reports directly to the OBC. The notice must identify the position sought and the hiring authority. The provision also requires the member to refrain from participating in any hiring-related decisions, discussions, or processes for that position. *[1 O.C. 103.4-8(a)–(c)].*
  - *Effect.* This update increases fairness and transparency in internal hiring by ensuring that OBC members do not use their elected position to gain an advantage when applying for Tribal employment. It helps the community understand that while OBC members may apply for positions, they must do so in a way that respects boundaries, avoids the appearance of influence, and maintains integrity in the hiring process. By clearly defining the required notice and prohibiting participation in hiring decisions, the law supports consistent procedures, protects against conflicts of interest, and strengthens community trust in the Nation's employment practices.
- ***Gift, Honoraria & Sponsored Event Reporting.*** The proposed amendments to the Law raises the gift-reporting threshold to $1,000 and creates a new OBC Gift Disclosure Form, while assigning responsibility for public records to the Office of the Nation Secretary. *[1 O.C. 103.4-9(a)–(e)].* They also strengthen transparency by requiring OBC members to formally report any gift, honorarium, or sponsored event meeting the reporting threshold, and to submit this information for OBC acceptance as an agenda item. The amendments also require the Office of the Nation Secretary

to maintain these disclosures as public records, ensuring community access to this information. *[1 O.C. 103.4-9(b)–(c)].*

- *Effect*. These updates help the community clearly see what gifts elected leaders receive and how they are handled. Requiring OBC action prevents individual members from deciding privately whether gifts are appropriate, and placing disclosures in the public record ensures openness and accountability. This builds trust by making sure that gifts cannot influence decisions without community awareness and oversight, and reinforces the expectation that OBC members act in service of the Nation rather than personal benefit. This process ensures there is a clear, workable system for determining when gifts are acceptable and when they must be reported. Centralizing recordkeeping strengthens public oversight and supports trust in the fairness and independence of governmental decisions.

- ***Attendance, Preparedness, and Meeting Decorum Requirements.*** The proposed amendments to the Law add a new set of expectations governing an OBC member's participation in official meetings. These updates require OBC members to attend all scheduled meetings unless excused, to arrive prepared after reviewing agenda materials, and to participate professionally and respectfully throughout the proceedings. The section emphasizes that OBC members must avoid disruptive behaviors, refrain from side conversations or distractions, respect the voices of others, and uphold confidentiality in closed-session matters. *[1 O.C. 103.4-12(a)–(d)].*
  - *Effect.* These additions remind both leaders and the community that the ability of the Nation's government to function effectively depends on the consistent presence and preparedness of its elected officials. By clearly outlining expectations around attendance, respectful engagement, and responsible conduct, the amendments reinforce that serving on the OBC is a serious commitment requiring focus, reliability, and discipline. This supports smoother decision-making, strengthens internal professionalism, and demonstrates to the community that OBC members understand the importance of showing up, staying engaged, and honoring their roles in carrying out the Nation's business. This aligns with Haudenosaunee values of collective deliberation and responsible service.

- ***Other amendments.*** Overall, a variety of other amendments and revisions were made to the Law to address formatting, drafting style, and organization that did not affect the substance of the Law.

SECTION 6. EXISTING LEGISLATION

A. ***Related legislation.*** The following laws of the Nation are related to the proposed amendments to this Law:

- ***Boards, Committees, and Commissions Law.*** The purpose of the Boards, Committees, and Commissions law is to govern boards, committees, and commissions of the Nation, including the procedures regarding the appointment and election of persons to boards, committees and commissions, creation of bylaws, maintenance of official records, compensation, and other items related to boards, committees and commissions. *[1 O.C. 105.1-1].* The underlying policy is to have consistent and standard procedures for choosing and appointing or electing the most qualified persons to boards, committees and commissions, for creation of bylaws governing boards committees and commissions, and for the maintenance of information created by and for boards, committees and commissions. *[1 O.C. 105.1-2].*

    - The Code of Ethics no longer applies to members of boards, committees, and commissions, as these groups operate under a different structure and set of responsibilities than the Oneida Business Committee. Instead, updates are being made to the Boards, Committees, and Commissions Law to include ethical standards that are specifically designed for those bodies. This ensures that board, committee, and commission members continue to be guided by clear expectations for conduct, accountability, and professionalism—while keeping the Code of Ethics focused on the unique authority and obligations of the Oneida Business Committee.
- ***Conflict of Interest law***. The purpose of the Conflict of Interest law is for the Nation to ensure that all employees, contractors, elected officials, officers, political appointees, appointed and elected members and all others who may have access to information or materials that are confidential or may be used by competitors of the Nation's enterprises or interests be subject to specific limitations to which such information and materials may be used in order to protect the interests of the Nation. *[2 O.C. 217.1-1].* Its underlying policy is to assert its proprietary rights to client lists, trade secrets and any other confidential data generated, developed or commissioned for the Nation in the course of an employee s duties and responsibilities and that all employees, and prospective employees, be made aware of their obligation to uphold such rights. The Nation asserts that no persons who work for the Nation or are responsible for safeguarding its interests nor their relatives, associates, partners, or anyone connected with such persons should in any way benefit against or in competition with the Nation s interests without full and complete prior disclosure to the Nation. *[2 O.C. 217.1-2].*
    - This Law provides conflict-of-interest expectations for OBC members will now be governed exclusively under the updated Code of Ethics. Conflict-of-interest expectations for board, committee, and commission (BCC) members will be addressed within the updated Boards, Committees, and Commissions Law. As a result, the Conflict of Interest Law is being amended so that it will apply only to Nation employees, consistent with how the law is used within employment-related systems. *[1 O.C. 103.1-1].*
- ***Removal Law***. The purpose of the Removal law is to govern the removal of persons elected to serve on boards, committees and commissions of the Oneida Tribe of Indians of Wisconsin. *[1 O.C. 104.1-1].* It is the policy of the Oneida Tribe of Indians of Wisconsin to provide an orderly and fair process for the removal of persons elected to serve on boards, committees and commissions. *[1 O.C. 104.1-2].*
    - Under the proposed amendments to the Code of Ethics the Oneida Business Committee remains subject to the Removal law. *[1 O.C. 103.5].*

SECTION 7. ENFORCEMENT AND ACCOUNTABILITY

- The Oneida Business Committee remains subject to all applicable laws and policies of the Nation including the Removal law. *[1 O.C. 103.5].*

SECTION 8. OTHER CONSIDERATIONS

Fiscal Impact. Under the Legislative Procedures Act, a fiscal impact statement is required for all legislation except emergency legislation *[1 O.C. 109.6-1].* Oneida Business Committee resolution BC-10-28-20-A titled, *"Further Interpretation of 'Fiscal Impact Statement' in the Legislative Procedures Act,"* provides further clarification on who the Legislative Operating Committee may direct complete a fiscal

impact statement at various stages of the legislative process, as well as timeframes for completing the fiscal impact statement.

- *Conclusion*. The Legislative Operating Committee has not yet directed that a fiscal impact be completed.

ONEIDA NATION PUBLIC MEETING NOTICE

THURSDAY May 14, 2026, 12:15 pm

Norbert Hill Center-Business Committee Conference Room
N7210 Seminary Rd., Oneida, Wisconsin

Find Public Meeting Materials at
Oneida-nsn.gov/government/register/public meetings

Send Public Comments to
LOC@oneidanation.org

Ask Questions here
LOC@oneidanation.org
920-869-4417

CODE OF ETHICS LAW AMENDMENTS

The purpose of the Code of Ethics law is to establish clear standards of conduct rooted in the values of the Oneida people, to guide the Oneida Business Committee in serving the Nation with honor and responsibility. These standards reflect the sacred trust between the government and the people, and are intended to promote integrity, uphold the will of the Nation, and preserve the confidence of the Oneida people. In a government founded upon the consent of the people, it is the right of the Oneida to expect loyalty, honesty, and accountability from those who serve.

The Code of Ethics law amendments will:

- Update the Code of Ethics so it clearly focuses on the Oneida Business Committee, bringing all expectations for how leaders should conduct themselves into one easy-to-understand law.
- Integrate the Great Law of Peace into the ethical foundation, affirming decision-making grounded in peace, unity, and thoughtful deliberation as cultural mandates for governance.
- Ground the ethical framework in the Good Mind teachings, infusing leadership obligations with humility, compassion, clarity, and community-centered thinking.
- Articulate the concept of Sacred Trust, emphasizing leadership as a duty held on behalf of past, present, and future generations rather than an individual entitlement.
- Regulate OBC members' applications for positions that report directly to the Committee, preventing conflicts before they arise and strengthening procedural fairness.
- Strengthen expectations for meeting attendance, preparation, and professional engagement, acknowledging that presence and participation are integral to carrying the Sacred Trust.
- Modernize gift and honoraria reporting by increasing financial thresholds and updating reporting processes to better reflect contemporary governance realities including public disclosure.

- Codify a comprehensive list of prohibited behaviors—including retaliation, discrimination, misuse of office, and corruption—to uphold dignity and protect community confidence in leadership.

Individuals may attend the public meeting for the proposed amendments to the Code of Ethics law in person at the Norbert Hill Center, or virtually through Microsoft Teams. If you wish to attend the public meeting through Microsoft Teams please contact LOC@oneidanation.org.

PUBLIC COMMENT PERIOD CLOSES THURSDAY MAY 21, 2026

During the public comment period, anyone may submit written comments, questions or input. Comments may be submitted to the Oneida Nation Secretary's Office or the Legislative Reference Office in person, by U.S. mail, interoffice mail, or e-mail.

Draft 1 (Redline)
2026 03 18

Title 1. Government and Finances - Chapter 103

~~**CODE OF ETHICS**~~

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matters that will be followed

CODE OF ETHICS

~~103.1-1 Policy and Purposes~~
~~103.2-1 Definitions~~
~~103.3-1 Government~~
~~103.4-1 Program~~
~~103.5-1 Enterprise~~
~~103.6-1 Enforcement~~
~~103.7-1 Gifts and Gratuities~~

~~**103.1.**~~ 103.1. Purpose and Policy
103.2. Adoption, Amendment, Repeal
103.3. Definitions
103.4. Standards of Conduct
103.5 Enforcement

103.1. Purpose and Policy ~~and Purposes~~

~~103.1-1. It is the policy of the Oneida Tribe of Indians of Wisconsin to promote the highest ethical conduct in all of its elected and appointed officials, and employees. This Code of Ethics represents a beginning, it is the very minimum standard of conduct which is expected. This Code is intended to create a base from which all persons are expected to work upwards and strive to work toward improving the health, safety and welfare of the Oneida Nation, citizens of the Nation, employees of the Tribe, and persons living in and around the jurisdiction of the Oneida Tribe if Indians of Wisconsin.~~

~~103.2. Definitions~~

~~(a) Government Official. A "government official" includes all persons who are elected or appointed to serve on the Oneida Business Committee and any board, committee, or commission created by the~~ 103.1-1. *Purpose*. The purpose of this law is to establish clear standards of conduct rooted in the values of the Oneida people, to guide the Oneida Business Committee in serving the Nation with honor and responsibility. These standards reflect the sacred trust between the government and the people, and are intended to promote integrity, uphold the will of the Nation, and preserve the confidence of the Oneida people. In a government founded upon the consent of

the people, it is the right of the Oneida to expect loyalty, honesty, and accountability from those who serve.

103.1-2. *Policy*. It is the policy of the Nation that Oneida Business Committee ~~or Oneida General Tribal Council.~~

~~(b) **Administrative Staff**. "Administrative Staff" includes all personnel employed and involved in the functioning of the government.~~

~~(c) **Program**. A "program" includes all activities of the Oneida Tribe of Indians of Wisconsin not expected to create revenue for the Tribe or those activities not expected to make a profit at any time. Further, this includes those persons that are employees of the Tribe working in these areas. Examples of, but are not limited to, governmental services include the Tribal School, Health Works, Maintenance, Multi-Purpose Center, Oneida Community Library.~~

~~(d) **Program personnel**. "Program Personnel" are those persons who work in Programs of the Oneida Tribe of Indians of Wisconsin.~~

~~(e) **Enterprise**. An "enterprise" includes all activities of the Oneida Tribe of Indians of Wisconsin that are engaged in for the business of profit. Examples of, but not limited to, enterprises are Oneida Printing, Oneida Construction, Oneida Promotions.~~

~~(f) **Enterprise employees**. "Enterprise Employees" are those persons employed in an Oneida Enterprise.~~

~~**103.3. Government**~~

~~103.3-1. All government officials shall be subject to the Code of Ethics as set forth herein and to the intent of the code as set forth above.~~

~~103.3-2. The Code of Ethics shall be as set out below, recognizing that the concept of ethical conduct encompasses action as well as inaction, and represents an area of self regulation. Provided further, that it is the policy of government officials to demonstrate the highest standards of personal integrity, truthfulness, honesty, and fortitude in all public activities in order to inspire public confidence and trust in the governmental officials of the Oneida Tribe of Indians of Wisconsin.~~

~~103.3-3. The following shall govern the interaction between government officials and their constituents, co-officials, and employees:~~

~~(a) A government official shall create and maintain an independent and honorable political system, and shall observe high standards of conduct toward achieving this goal, including, but not limited to~~

~~(1) encouraging separation between departments or entities of tribal government, and should avoid contact or duty that violates such a separation.~~

~~(2) avoid participation in action or decision making (except where participation is in accordance with the traditions of the Tribe) that would present an appearance of conflict of interest or an actual conflict of interest.~~

~~(b) A government official should respect and comply with the law and tradition of the Tribe and should at all times act in a manner that promotes public confidence in the honesty and impartiality of government officials, including but not limited to~~

~~(1) influence of family, social or other personal relationships influencing conduct~~

~~(2) using prestige of the office to advance private interests of others~~

~~(3) conveying use of special influence or being specially influenced.~~

~~(c) A government official should use the following standards in relation to the duties of office~~

~~(1) adhere to the laws, customs, and traditions of the Tribe~~

~~(2) be patient, dignified and courteous to constituents, co-officials, and others with whom the official deals in an official capacity, and should require similar conduct of others in official proceedings and those personnel subject to the official's discretion and control.~~

~~(3) give to every person who is interested in an action time to be heard~~

~~(4) not comment to non-tribal~~ members ~~on any proceeding, session, or action unless directed to do so by an official action of the Oneida General Tribal Council, Oneida Business Committee, or their delegates.~~

~~(d) Government officials and their administrative staff shall protect the privileged information to which they have access in the course of official duties, and be prudent in the use of information acquired in the course of their duties. Further, they should not use confidential information for any personal gain, or in a manner which would be detrimental to the welfare of the employer.~~

~~103.3-4. Administrative responsibilities include, but are not limited to, work product and conduct of staff as set out herein~~

~~(a) prohibiting staff from making statements on behalf of the Tribe or agency of the Tribe without permission~~

~~(b) require staff to observe high standards of honesty and diligence~~

~~(c) initiate appropriate disciplinary measures against professional staff for unprofessional conduct which the official may become aware of.~~

~~103.3-5. A government official should disqualify~~ shall carry themselves ~~when their action or inaction might reasonably be questioned, including, but not limited to~~

~~(a) personal bias~~

~~(b) knowledge that individually or any member of their family or spouse's immediate family, or anyone residing in their household has a financial interest in the subject matter of a proceeding or action, or has any other interest that could be substantially affected~~

~~provided however, that an official disqualified by the above may, instead of withdrawing, disclose on the record the basis of their disqualification. Provided further that the government agency, based on such disclosure, agree unanimously that the government official's participation is not prejudicial or that the financial interest is unsubstantial, the official is no longer disqualified and may participate in the proceeding or action. The agreement or disagreement shall be incorporated in the record of the proceeding or action.~~in

~~**103.**3-6. A government official shall regulate their extra governmental activities to minimize the risk of conflict with duties of their office.~~

~~103.3-7. A government official should maintain a distance in financial dealings that would tend to reflect an influence for personal gain, including, but not limited to~~

~~(a) dealings that tend to reflect on their impartiality, interference with performance of governmental duties, or exploit the governmental office~~

~~(b) involvement in businesses that have financial impact or other influence on tribal businesses or actions.~~

~~(c) exceptions are allowed for laws and policies that directly allow the participation of a governmental official, or where the traditions of the Tribe allow participation.~~

~~(d) granting, giving, or influencing the gift, bequest or loan of tribal services, property or monies outside of normal and traditional procedures.~~

~~103.3-8. An official may participate in civic and charitable activities that do not detract from the dignity of the office or interfere with the performance of official duties.~~

~~**103.4. Program**~~

~~103.4-1. The Code of Ethics set forth in this section shall govern the management and employees involved in Tribal Programs.~~

~~103.4-2. This section sets out the minimum ethical standards required of program personnel. However, program personnel are encouraged to keep the community informed on program affairs; encourage communication between citizens and all program personnel; emphasize and practice friendly and courteous service to the public; and seek to improve the quality and image of public service.~~

~~103.4-3. Program personnel shall serve in such~~ a way that ~~they will not realize personal gain from~~brings honor to the ~~performance of official duties, including, but not limited to~~

~~(a) seeking favor, personal aggrandizement or profit~~

~~(b) accepting a fee or gift from a fellow employee, a client, a customer, or a business associate of their employer without the knowledge~~Oneida people and ~~consent of the senior manager~~

~~(c) exercising discretionary authority to their own benefit.~~

~~103.4-4. Program personnel~~government. They shall ~~demonstrate the highest possible standards of personal~~walk with integrity, ~~truthfulness, honesty and fortitude in all public activities in order to inspire public confidence and trust in public institutions, including, but not limited to~~

~~(a) dedication to the highest ideals of honor and integrity in all public and personal relationships~~

~~(b) affirm the dignity and worth of the services rendered by the government and maintain constructive, creative, and practical attitude toward community affairs and a deep sense of social responsibility as a trusted public servant.~~

~~103.4-5. Program personnel will avoid any interest or activity that is in conflict with the conduct of official duties, including, but not limited to~~

~~(a) entering into any activity which may be in conflict with the interest of the Oneida Tribe of Indians of Wisconsin, or which would prejudice the ability to carry out objectively their duties and responsibilities~~

~~(b) eliminating all forms of illegal discrimination, fraud, and mismanagement of public funds, and support colleagues if they are in difficulty because of responsible efforts to correct such discrimination, fraud, mismanagement or abuse~~

~~(c) refrain from participation in the election of members of the employing legislative body, and from all partisan political activities which would impair performance as program personnel.~~

~~103.4-6. Program personnel with hiring, termination, transfer authority should support, implement and promote merit employment and programs of affirmative actions to assure equal employment opportunity by recruitment, selection, and advancement of qualified persons from all elements of society, including, but not limited to~~

~~(a) handling all matters of personnel on the basis of merit so that fairness and impartiality govern a member's decisions, pertaining to appointments, pay adjustments, promotions and discipline~~

~~(b) strive for personal professional excellence and encourage the professional development of associates~~

~~(c) accept as a personal duty the responsibility to keep up to date on emerging issues and to administer with professional competence, fairness, impartiality, efficiency and effectiveness~~

~~(d) respect, support, study, and when necessary, work to improve the laws, polices and other regulations which define relationships among public agencies, employees, clients and all citizens~~

~~103.4-7. Program personnel should approach organization and operational duties with a positive attitude and constructively support open communication, creativity, dedication and compassion, including, but not limited to~~

~~(a) submitting policy proposals to supervisors and elected officials; providing them with facts and advice on matters of policy as a basis for making decisions and setting community goals~~

~~(b) upholding and implementing policies adopted by officials.~~

~~103.4-8. Program personnel shall protect the privileged information to which they have access in the course of official duties and be prudent in the use of information acquired in the course of their duties. Further, they should not use confidential information for any personal gain or in a manner which would be detrimental to the welfare of the employer.~~

~~103.5. Enterprise~~

~~103.5-1. The enterprises of the Oneida Tribe of Indians of Wisconsin shall~~ follow the ~~Code of Ethics as listed in this section.~~laws of the Nation, and uphold the highest standards of ethical conduct in all their duties. All Oneida Business Committee members strive to exhibit and uphold the Nation's core values of The Good Mind as expressed by Onʌyoteʔa·ka, which includes:

(a) Kahletsyalúsla. The heartfelt encouragement of the best in each of us.
(b) Kanolukhwásla. Compassion, caring, identity, and joy of being.
(c) Kaʔnikuhli·yó. The openness of the good spirit and mind.
(d) Kaʔtshatstʌ́sla. The strength of belief and vision as a People.
(e) Kalihwi·yó. The use of the good words about ourselves, our Nation, and our future.
(f) Twahwahtsílayʌ. All of us are family.
(g) Yukwatsístayʌ. Our fire, our spirit within each one of us.

103.2. Adoption, Amendment, Repeal

103.2-1. This law was adopted by the Oneida Business Committee members by resolution BC-11-23-94-A, and amended by resolution BC-04-12-06-JJ, BC-09-27-06-E, and BC-XX-XX-XX-X.

103.2-2. This law may be amended or repealed by the Oneida Business Committee members or the General Tribal Council pursuant to the procedures set out in the Legislative Procedures Act.

103.2-3. Should a provision of this law or the application thereof to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this law which are considered to have legal force without the invalid portions.

103.2-4. In the event of a conflict between a provision of this law and a provision of another policy, the provisions of this policy shall control.

103.2-5. This law is adopted under authority of the Constitution of the Oneida Nation.

103.3. Definitions

103.3-1. This section shall govern the definitions of words and phrases used within this law. All words not defined herein shall be used in their ordinary and everyday sense.

(a) "Conflict of Interest" means any financial, personal, or political interest, real or apparent, that could impair an elected official's impartiality or create an appearance of impropriety in performing Oneida Business Committee members duties, including interests held by immediate family members. This includes any financial or familial interest an Oneida Business Committee member or their immediate family members may have in any transaction between the Nation and an outside party.

(b) "Great Law of Peace" means the Haudenosaunee principles given by the Peacemaker and carried through Hiawatha that brought peace to the original nations by teaching people to use a Good Mind grounded in reason, compassion, unity, and the restoration of balance among all relations. It guides how the people are to live together in peace and mutual respect, using consensus and shared responsibility to maintain harmony in the community.
(c) "Immediate Family Member" means an individual's spouse, parent, child, grandparent, grandchild, great-grandparent, great-grandchild, mother-in-law, father-in-law, daughter-in-law, son-in-law, brother-in-law or sister-in-law, including relationships attained through legal adoption, consistent with Oneida Human Resource Department standards.
(d) "Nation" means the Oneida Nation.
(e) "Oneida people" means enrolled members of the Oneida Nation, individuals eligible for enrollment with the Oneida Nation, and descendants of the Oneida Nation.

103.4. Standards of Conduct

103.4-1. *Good Mind and Sacred Trust.* All Oneida Business Committee members shall serve with a Good Mind (see *Section*103.1-2) guided by wisdom, compassion, and responsibility and shall avoid actions or situations that give rise to the appearance of impropriety, undue influence, or favoritism. The principles that follow expand on the obligations of Good Mind and Sacred Trust and set forth the foundational duties that guide the conduct of all Oneida Business Committee members.

(a) *Seventh Generation Stewardship*. Oneida leaders act as temporary stewards on behalf of past generations and the seven generations yet to come, making decisions with deliberate regard for long-term impacts on the Nation's people, lands, resources, and institutions.
(b) *People as the Source of Authority*. Authority derives from the Oneida people, not from the office itself. Oneida leaders shall act in the people's best interests, speak truthfully, manage the Nation's resources with integrity, and relinquish authority through established processes when the people's confidence is lost.
(c) *Haudenosaunee Governance & Sacred Trust*. Guided by the Great Law of Peace, Oneida leaders shall maintain a heart of peace and goodwill, a mind committed to the people's welfare, and actions shaped by calm and thoughtful deliberation. "Sacred Trust" means the duty to safeguard the Nation's wellbeing as something held in care, not possession.
(d) *Land, Sovereignty, and Cultural Continuity*. Oneida leaders shall protect and strengthen the Nation's sovereignty, lands, language, and cultural ways—an inheritance preserved through generations of sacrifice—so that these gifts remain whole and vibrant for future generations.
(e) *Accountability and Conflicts of Interest*. Public office exists solely to serve the Oneida people. Using one's position for personal, financial, or political gain violates this trust. Oneida leaders shall disclose conflicts, avoid improper influence, refrain from participation where a conflict exists, and recognize that the Nation's resources and reputation belong to the Oneida people, not to officeholders.

(f) *Ethical Covenant*. This covenant binds Oneida leaders to govern with honesty and transparency; to honor ancestral teachings; to protect sovereignty and lands; and to make decisions worthy of the children who will inherit the Nation. This trust is sacred because it carries the lives of the living, the memory of those who came before, and the future of those yet unborn.

103.4-2. *Conflicts of Interest*. No Oneida Business Committee member shall take part in decisions or activities where they or an immediate family member hold a direct financial, personal, or political interest, as such actions compromise the integrity of service to the Nation.

(a) *Duty to Disclose*. Members of the Oneida Business Committee shall disclose any potential or actual conflict of interest using the OBC Conflict of Interest Disclosure Form, which shall be submitted for inclusion on an OBC meeting agenda. The disclosure shall be presented for OBC acceptance, and the member shall refrain from participating in any related discussions or decision-making, when appropriate, to uphold the integrity of governance.

(b) *Ongoing Duty to Disclose*. Oneida Business Committee members who become aware of a conflict of interest shall promptly disclose its nature and avoid participation in the matter.

(c) *Disclosure Forms*.

(1) The Oneida Law Office shall create both annual and as-needed conflict disclosure forms.

(2) The Office of the Oneida Nation Secretary shall distribute, collect, and maintain these forms.

(3) All Oneida Business Committee members shall submit disclosure forms annually and within a reasonable time after a conflict arises or becomes known.

103.4-3. *Stewardship of Confidential Information*. Oneida Business Committee members shall treat confidential information as sacred, using it only for the benefit of the Nation and never for personal gain or harm. No Oneida Business Committee member shall use confidential information obtained through their position to:

(a) Acquire a financial interest in any property, transaction, or enterprise that may be affected by such information;

(b) Speculate or wager;

(c) Harm another's reputation;

(d) Advance personal or political interests; or

(e) Assist another in doing any of the above.

103.4-4. *Use of Nation Resources*. Oneida Business Committee members are entrusted with the resources of the Nation and shall act as responsible stewards. Misuse, misappropriation, or any form of impropriety in handling the Nation's funds or property is a violation of this sacred trust.

103.4-5. *Fair Dealing and Impartiality*. Oneida Business Committee members shall carry out their duties with fairness, honesty, and impartiality, honoring the trust placed in them by the Oneida people. Oneida Business Committee members shall:

(a) Refrain from granting special treatment beyond what is available to others under the law;
(b) Make decisions based solely on merit, facts, and the well-being of the Nation, free from bias, favoritism, or personal interest;
(c) Avoid conduct that creates the appearance of impropriety or undermines community trust.
(d) Treat all individuals with respect and dignity, and foster an environment of equity, justice, and inclusion in governmental dealings.

103.4-6. *Accountability and Transparency*. Public service is a sacred responsibility. Oneida Business Committee members are entrusted by the Oneida people to act with integrity, humility, and accountability. Their actions shall reflect the values of the Nation and honor the trust placed in them by the community.

(a) *Duty to be Accountable*: Oneida Business Committee members shall be answerable to the Oneida people for their decisions, conduct, and use of authority; explain their actions, accept responsibility for mistakes, and take corrective steps when necessary. Accountability is not only a legal obligation, it is a cultural duty rooted in respect for the people and the teachings of the Good Mind (see Section103.1-2).
(b) *Transparency in Governance.* Transparency is essential to maintaining the good mind and the confidence of the people. Oneida Business Committee members shall:
(1) Conduct public business in a manner that is open, honest, and accessible to the community;
(2) Provide timely and accurate information about decisions, policies, and the use of Nation resources; and
(3) Ensure that records, reports, and proceedings are maintained and made available in accordance with the laws and customs of the Nation.
(c) *Community Engagement*. Oneida Business Committee members shall actively seek the voices of the people, respecting the wisdom of elders, the concerns of families, and the guidance of traditional knowledge. Decisions shall reflect the collective good and be made with the understanding that leadership is a service to the Nation, not a privilege.

103.4-7. *Nepotism Prohibited.* The Oneida people expect their leaders to act with integrity and impartiality. Avoiding nepotism is essential to maintaining sacred trust between the government and the community, and to ensuring that all Oneida people have equal opportunity to serve and contribute to the Nation.

(a) *Commitment to Fairness*. Leadership shall be guided by fairness, respect, and the Good Mind (see Section103.1-2). Favoring family members in employment, appointments, or decision-making undermines the trust of the people and disrupts the balance that is essential to good governance.
(b) *Preferential Treatment Prohibited.* No Oneida Business Committee member shall use their position to secure employment, advancement, contracts, or other benefits for immediate family members or close relatives. All decisions shall be made based on merit, qualifications, and the best interests of the Nation.

(c) *Employment and Oversight Restrictions*. No Oneida Business Committee member shall supervise, evaluate, or participate in employment decisions involving a family member. The Nation shall implement procedures to ensure that hiring and promotion processes are free from undue influence and favoritism.

103.4-8. *Employment Applications by Oneida Business Committee Members.* Employment Application for Direct Report Positions.

(a) Oneida Business Committee service is a sacred duty that requires attention and impartiality, Oneida Business Committee members who intend to apply for employment in positions that report directly to the Oneida Business Committee shall provide written notice to the Oneida Business Committee prior to applying.

(a) *Notice of Intent*. Written notice shall identify the position sought and the hiring authority. The notice is information and does not require formal approval.

(b) *Hiring Process Participation*. Oneida Business Committee members shall not participate in hiring decisions or processes for positions they seek.

(c) *Scope*. This section applies only to positions that are direct reports to the Oneida Business Committee.

103.4-9. *Gifts and Honorarium*.

(a) *Prohibition on Gifts for Business Privilege.* No Oneida Business Committee member shall accept any gift, gratuity, or honorarium of any value in exchange for, or as a condition of, doing business with the Nation.

(b) *Reporting Requirements*. Oneida Business Committee members shall report any gift, honorarium, or sponsored event with a fair market value of one thousand dollars ($1000) or more that is given in connection with activities organized by or participated in on behalf of the Nation. Such disclosures shall be made using the OBC Gift Disclosure Form and submitted for inclusion on an OBC meeting agenda. The disclosure shall be presented for Oneida Business Committee acceptance, and the member shall refrain from participating in any related discussions or decision-making, when appropriate, to uphold the integrity of governance.

(1) Sponsored events not paid for or reimbursed by the Nation or another government, such as social, recreational, or entertainment events must be reported as gifts.

(2) Events paid for or reimbursed by another government for official duties, such as consultations, meetings, or training, are official business and not reportable under this section.

(c) *Gift Disclosure Form and Public Record*. Gifts or gratuities meeting the criteria in 103.4-9(b) shall be documented using the Gift Disclosure Form and submitted to the Office of the Nation's Secretary within ten (10) business days of receipt.

(1) The Office of the Secretary shall maintain a public record of all reported gifts and honoraria; and

(2) The Oneida Law Office shall maintain and update the Gift Disclosure Form and related procedures.

(d) *Gifts below the Reporting Threshold*. Gifts or honoraria valued at nine hundred ninety-nine dollars and ninety-nine cents ($999.99) or less are not required to be reported on the Gift Disclosure Form.

(e) *Cultural and Ceremonial Gifts*. Gifts given in the context of traditional, ceremonial, or cultural exchange shall be exempt from reporting requirements. Oneida Business Committee members are encouraged to consult with the Oneida Law Office when in doubt.

103.4-10. *Prohibited Conduct*. Oneida Business Committee members are expected to walk with the Good Mind (see Section103.1-2), honoring the trust of the people and the teachings of the Great Law of Peace. The following conduct is prohibited as it undermines the integrity of governance, the dignity of the Nation, and the responsibilities entrusted to those who serve. No Oneida Business Committee member shall:

(a) Use their position for personal gain, financial benefit, or advancement of family, friends, or associates.

(b) Engage in any form of bribery, coercion, or undue influence in the performance of their duties.

(c) Misuse or misappropriate Nation resources, including funds, property, or confidential information.

(d) Discriminate against or harass any individual based on race, gender, age, religion, tribal affiliation, or any other protected status.

(e) Retaliate against any person who reports unethical behavior, misconduct, or violations of this law.

(f) Falsify records, reports, or communications related to their Oneida Business Committee member duties.

(g) Accept gifts, gratuities, or honoraria in violation of Section103.4-9.

(h) Participate in decisions where a conflict of interest exists, as defined in Section103.4-2.

(j) Engage in nepotism or favoritism in hiring, supervision, or contracting, as prohibited in Section103.4-7.

(k) Act in a manner that brings dishonor to the Oneida people or undermines the public's trust in the Nation's government.

103.4-11. *Cultural Accountability*. Oneida Business Committee members are reminded that their conduct reflects not only on themselves but on the Nation as a whole. They are expected to uphold the teachings of the Good Mind (see Section103.1-2), protect the well-being of the community, and serve with humility, honor, and respect.

103.4-12. *Attendance and Meeting Conduct*. Oneida Business Committee members shall honor their responsibility to participate fully and professionally in the governance of the Nation. Attendance and conduct during meetings reflect the integrity of leadership and the trust placed in the Oneida Business Committee by the Oneida people. Accordingly:

(a) *Commitment to Presence and Preparedness*. Oneida Business Committee members shall attend all scheduled meetings unless excused or prevented by circumstances beyond their control. Absences should be communicated promptly and with respect for the body's

ability to conduct business. Oneida Business Committee members are expected to arrive prepared, having reviewed all materials necessary for informed decision-making.

(b) *Engagement and Respectful Dialogue*. Meetings shall be conducted in a manner the upholds the Good Mind (see Section 103.1-2) and fosters constructive dialogue. Oneida Business Committee members shall:

(1) Participate actively and thoughtfully, contributing to deliberations with clarity and respect.

(2) Listen attentively to others, avoid interruptions, and ensure that all voices are heard.

(3) Refrain from conduct that disrupts proceedings or diminishes the dignity of the office.

(c) *Professionalism and Integrity in Deliberation*. Decisions shall be made based on merits, facts, and the collective good of the Nation. Oneida Business Committee members shall:

(1) Avoid side conversations, electronic distractions, or any behavior that signals disengagement.

(2) Maintain confidentiality of closed-session discussions and sensitive information.

(3) Conduct themselves in a manner that reflects honor, impartiality, and accountability.

(d) *Responsibility for Governance Continuity*. Attendance and participation are essential to the functioning of the Nation's government. Persistent failure to meet these expectations may constitute a breach of sacred trust.

103.5. ~~103.5-2. This section sets out the minimum ethical standards required of enterprise employees. However, enterprise personnel are encouraged to conduct themselves in such a way as to maximize their input in a positive and knowledgeable manner and to accept such input such that those suggestions benefit the enterprises of the Oneida Tribe of Indians of Wisconsin.~~

~~103.5-3. Enterprise employees are expected to have a commitment to integrity, which includes, but is not limited to~~

~~(a) Integrity towards the customer. An enterprise employee is expected to:~~

~~(1) Never misrepresent the quality, features or availability of the Tribes products or services or those of its competitors.~~

~~(2) Never engage in industrial espionage or commercial bribery~~

~~(3) Never unlawfully interfere with contracts between a competitor and a customer~~

~~(4) Never buy from suppliers, or hint that we will buy from them, on the condition that they use tribal products or services.~~

~~The Tribe's competitive efforts rely on the merits of its products and services. Enterprise employees should concentrate or anticipate and satisfy the needs of our customers, and should not seek to limit the competitive opportunities of our rivals.~~

~~(b) Integrity towards the Tribe. An enterprise employee is expected to:~~

~~(1) Be honest with the Tribe's's time and property~~

~~(2) Reporting to work as scheduled~~
~~(3) Doing full day's work~~
~~(4) Keeping absences to minimum and documented~~
~~(5) Handle customer contacts with the highest standards of professionalism and courtesy~~
~~(6) Avoid any outside activity that could adversely affect the independence and objectivity of your judgement, interfere with the timely and effective performance of your duties and responsibilities, or that could discredit the Tribe or conflict, or appear to conflict, with the Tribe's best interests.~~
~~(7) Preventing the loss, damage, misuse or theft of tribal property is part of every employee's job. Tribal property should be protected through safeguards such as locking desks, offices and unattended vehicles or facilities, restricting nonemployee or other unauthorized access, avoidance of waste or excess, observing rules regarding identification, package inspection, personal property registration.~~

~~Enterprise employees are expected to, both on and off the job, to support the Tribe's efforts to succeed in the world-wide market place.~~

~~(c) Integrity to themselves. Each enterprise employee is responsible for his or her actions. For each, integrity is a personal responsibility. No one may justify an illegal act by claiming it was ordered by someone higher in management. No one, regardless or rank, is ever authorized to direct an employee to commit an illegal, or unethical act.~~

~~(1) The Tribe expects any employee to report any violation of the Code of Ethics, as well as any other dishonest or illegal acts of which they become aware in the workplace, The Tribe will not tolerate reprisals against any employee who, in good faith, makes such reports. Employees who report actions are protected by the laws of the Oneida Tribe.~~
~~(2) The Tribe encourages enterprise employees as private citizens to participate in public and civic affairs. Employees should ensure that no conflict of interest, either actual or potential, exists between the Tribe and their duties in public or civic affairs, whether elective or appointed, paid or voluntary.~~
~~(3) When spending tribal money, or your own for reimbursement later, or when requesting services on the Tribe's behalf, make sure that the Tribe receives the proper value in return and that the expenditure is for a legitimate business purpose. Every employee who has control over company funds is personally accountable for them.~~
~~(4) Employees are forbidden to engage in the following conduct:~~
~~(A) Illegal use, possession, distribution, transportation, sale, purchase or transfer of controlled substances or drugs~~
~~(B) Intoxication on company time, premises, or other business~~
~~(C) Fighting on job or premises~~
~~(D) Possession of unauthorized firearms~~

~~(E) Using rude, abusive or obscene language with costumer, or around customers~~

~~(F) Refusing to serve a costumer.~~

~~(d) Integrity to competitors. The Tribe is committed to engaging in a free and open market, to the extent that preference laws enacted by the tribal government are in effect, enterprise employees may not attempt to influence the sale or purchase of goods and services in any way.~~

~~(1) The Tribe's competitive efforts must rely on the merits of its products and services. Employees should concentrate on anticipating and satisfying the needs of our customers, and should not seek to limit the competitive opportunities of our rivals.~~

~~(2) The Tribe's policy is to honor our own copyright's and copyrights of others. To that end, licenses or permission is needed when using any object, item, idea, etc., that is copyrighted or which is owned by another.~~

~~(3) Enterprise employees shall not give or receive inappropriate gifts or provide unusual hospitality to customers or potential customers or their employees that will unfairly influence their purchasing decision.~~

~~(4) Enterprise employees are required to report gifts other than promotional items of nominal value promptly to your supervisor and then return them to the donor, if possible, or dispose of them in another appropriate manner. Provided that, in any differences between this Ethics Code and any Conflict of Interest Code, the latter shall prevail.~~

~~(5) Enterprise employees should:~~

~~(A) Have no relationship, financial or otherwise, with any supplier or competitor that might be construed as a conflict of interest, or that even might appear to impair your judgement on behalf of the Tribe.~~

~~(B) Never accept or solicit, even indirectly, gifts, loans, "kick-backs", special privileges, services, or unusual hospitality. Does not apply to low value promotional items of a general advertising nature.~~

~~103.5-4. Enterprise employees are specifically encouraged to protect the Tribe's intellectual property and proprietary information. Proprietary information is any information or knowledge created, acquired or controlled by the Tribe that the Tribe has determined should not be published or released to others. It includes, but is not limited to, financial and billing records, unannounced products and services, technical information, sales and marketing data, and employee records. If the release of the information could cause the Tribe the loss of a critical competitive advantage, could hurt relationships with customers or could embarrass or harm fellow employees it is considered proprietary.~~

~~When enterprise employees leave the Tribe, all documents and records containing proprietary information must be returned to the Tribe. Further, there is a continuing obligation to safeguard any information obtained during the course of their employment.~~

~~103.5-5. All enterprise employees are required to conduct themselves according to the highest ethical standards of integrity and honesty. Further, each employee is expected to comply with all applicable tribal, federal, state and local laws. Finally, an employee should not undertake any activity that is aimed at, or could reasonably have the effect of, retarding the success of the Tribe in the market place, and should avoid any actions inconsistent with this commitment.~~

~~103.6. Enforcement.~~

~~103.6-1. This code shall be enforced according to the following:~~

~~(a) Government officials may be subject to either removal, if elected, or termination, if appointed, for a violation of any portion of this ethics code as it applies to them.~~

~~(b) Programs and Enterprises shall be removed according to the procedures set out in the Oneida Personnel Procedures and Policies Manual. Provided that, suspension while investigation or termination is an appropriate action, and one offense is sufficient for termination. Provided further, that any suspension shall be without pay.~~

~~103.7. Gifts and Gratuities~~

~~103.7-1. Notwithstanding any provision of this law, no governmental official, administrative staff, employee of a program or enterprise, or a program or enterprise may accept a gift or gratuity of any value for the privilege of doing business with the Oneida Tribe of Indians of Wisconsin.~~

~~103.7-2. Further, any person or entity listed in section 7-1 is required to report gifts of gratuities with a value of $50.00 or more which is given:~~

~~(a) For activities participated in or organized by the Oneida Tribe; or~~

~~(b) To the person or entity listed in section 7-1 on behalf of the Oneida tribe.~~

~~Those gifts or gratuities with a value of $50.00 or more shall be document on form CE-1 and forwarded to the Property Management Office within the Accounting Department of the Oneida Tribe.~~

~~103.7-3. All gifts or gratuities having a value of $49.99 or less need not be documented on form CE-1. However, no individual may retain any gift or gratuity meeting the definition set out in section 7-2 for personal gain.~~

Enforcement. Enforcement of this law shall be conducted in accordance with all applicable laws and regulations of the Nation.

End.

Adopted - Oneida Business Committee minutes, 10-21-91
Adopted - BC-11-23-94-A
Emergency Amendment - BC-04-12-06-JJ
Amended - BC-09-27-06-E (adoption of emergency amendment)

4 Amended – BC- - - -

Draft 1 (Clean)
2026 03 18

Title 1. Government and Finances - Chapter 103
ʌtwaliwáseh
matters that will be followed
CODE OF ETHICS

103.1. Purpose and Policy
103.2. Adoption, Amendment, Repeal
103.3. Definitions
103.4. Standards of Conduct
103.5 Enforcement

103.1. Purpose and Policy

103.1-1. *Purpose*. The purpose of this law is to establish clear standards of conduct rooted in the values of the Oneida people, to guide the Oneida Business Committee in serving the Nation with honor and responsibility. These standards reflect the sacred trust between the government and the people, and are intended to promote integrity, uphold the will of the Nation, and preserve the confidence of the Oneida people. In a government founded upon the consent of the people, it is the right of the Oneida to expect loyalty, honesty, and accountability from those who serve.

103.1-2. *Policy*. It is the policy of the Nation that Oneida Business Committee members shall carry themselves in a way that brings honor to the Oneida people and government. They shall walk with integrity, follow the laws of the Nation, and uphold the highest standards of ethical conduct in all their duties. All Oneida Business Committee members strive to exhibit and uphold the Nation's core values of The Good Mind as expressed by Onʌyoteʔaˑka, which includes:

(a) Kahletsyalúsla. The heartfelt encouragement of the best in each of us.
(b) Kanolukhwásla. Compassion, caring, identity, and joy of being.
(c) Kaʔnikuhliˑyó. The openness of the good spirit and mind.
(d) Kaʔtshatstʌ́sla. The strength of belief and vision as a People.
(e) Kalihwiˑyó. The use of the good words about ourselves, our Nation, and our future.
(f) Twahwahtsílayʌ. All of us are family.
(g) Yukwatsístayʌ. Our fire, our spirit within each one of us.

103.2. Adoption, Amendment, Repeal

103.2-1. This law was adopted by the Oneida Business Committee members by resolution BC-11-23-94-A, and amended by resolution BC-04-12-06-JJ, BC-09-27-06-E, and BC-XX-XX-XX-X.

103.2-2. This law may be amended or repealed by the Oneida Business Committee members or the General Tribal Council pursuant to the procedures set out in the Legislative Procedures Act.

103.2-3. Should a provision of this law or the application thereof to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this law which are considered to have legal force without the invalid portions.

103.2-4. In the event of a conflict between a provision of this law and a provision of another policy, the provisions of this policy shall control.

103.2-5. This law is adopted under authority of the Constitution of the Oneida Nation.

103.3. Definitions

103.3-1. This section shall govern the definitions of words and phrases used within this law. All words not defined herein shall be used in their ordinary and everyday sense.

(a) "Conflict of Interest" means any financial, personal, or political interest, real or apparent, that could impair an elected official's impartiality or create an appearance of impropriety in performing Oneida Business Committee members duties, including interests held by immediate family members. This includes any financial or familial interest an Oneida Business Committee member or their immediate family members may have in any transaction between the Nation and an outside party.

(b) "Great Law of Peace" means the Haudenosaunee principles given by the Peacemaker and carried through Hiawatha that brought peace to the original nations by teaching people to use a Good Mind grounded in reason, compassion, unity, and the restoration of balance among all relations. It guides how the people are to live together in peace and mutual respect, using consensus and shared responsibility to maintain harmony in the community.

(c) "Immediate Family Member" means an individual's spouse, parent, child, grandparent, grandchild, great-grandparent, great-grandchild, mother-in-law, father-in-law, daughter-in-law, son-in-law, brother-in-law or sister-in-law, including relationships attained through legal adoption, consistent with Oneida Human Resource Department standards.

(d) "Nation" means the Oneida Nation.

(e) "Oneida people" means enrolled members of the Oneida Nation, individuals eligible for enrollment with the Oneida Nation, and descendants of the Oneida Nation.

103.4. Standards of Conduct

103.4-1. *Good Mind and Sacred Trust.* All Oneida Business Committee members shall serve with a Good Mind (see *Section*103.1-2) guided by wisdom, compassion, and responsibility and shall avoid actions or situations that give rise to the appearance of impropriety, undue influence, or favoritism. The principles that follow expand on the obligations of Good Mind and Sacred Trust and set forth the foundational duties that guide the conduct of all Oneida Business Committee members.

(a) *Seventh Generation Stewardship*. Oneida leaders act as temporary stewards on behalf of past generations and the seven generations yet to come, making decisions with deliberate regard for long-term impacts on the Nation's people, lands, resources, and institutions.

(b) *People as the Source of Authority*. Authority derives from the Oneida people, not from the office itself. Oneida leaders shall act in the people's best interests, speak truthfully, manage the Nation's resources with integrity, and relinquish authority through established processes when the people's confidence is lost.

(c) *Haudenosaunee Governance & Sacred Trust*. Guided by the Great Law of Peace, Oneida leaders shall maintain a heart of peace and goodwill, a mind committed to the people's welfare, and actions shaped by calm and thoughtful deliberation. "Sacred Trust" means the duty to safeguard the Nation's wellbeing as something held in care, not possession.

(d) *Land, Sovereignty, and Cultural Continuity*. Oneida leaders shall protect and strengthen the Nation's sovereignty, lands, language, and cultural ways—an inheritance preserved through generations of sacrifice—so that these gifts remain whole and vibrant for future generations.

(e) *Accountability and Conflicts of Interest*. Public office exists solely to serve the Oneida people. Using one's position for personal, financial, or political gain violates this trust. Oneida leaders shall disclose conflicts, avoid improper influence, refrain from participation where a conflict exists, and recognize that the Nation's resources and reputation belong to the Oneida people, not to officeholders.

(f) *Ethical Covenant*. This covenant binds Oneida leaders to govern with honesty and transparency; to honor ancestral teachings; to protect sovereignty and lands; and to make decisions worthy of the children who will inherit the Nation. This trust is sacred because it carries the lives of the living, the memory of those who came before, and the future of those yet unborn.

103.4-2. *Conflicts of Interest*. No Oneida Business Committee member shall take part in decisions or activities where they or an immediate family member hold a direct financial, personal, or political interest, as such actions compromise the integrity of service to the Nation.

(a) *Duty to Disclose*. Members of the Oneida Business Committee shall disclose any potential or actual conflict of interest using the OBC Conflict of Interest Disclosure Form, which shall be submitted for inclusion on an OBC meeting agenda. The disclosure shall be presented for OBC acceptance, and the member shall refrain from participating in any related discussions or decision-making, when appropriate, to uphold the integrity of governance.

(b) *Ongoing Duty to Disclose*. Oneida Business Committee members who become aware of a conflict of interest shall promptly disclose its nature and avoid participation in the matter.

(c) *Disclosure Forms*.

(1) The Oneida Law Office shall create both annual and as-needed conflict disclosure forms.

(2) The Office of the Oneida Nation Secretary shall distribute, collect, and maintain these forms.

(3) All Oneida Business Committee members shall submit disclosure forms annually and within a reasonable time after a conflict arises or becomes known.

103.4-3. *Stewardship of Confidential Information*. Oneida Business Committee members shall treat confidential information as sacred, using it only for the benefit of the Nation and never for personal gain or harm. No Oneida Business Committee member shall use confidential information obtained through their position to:

(a) Acquire a financial interest in any property, transaction, or enterprise that may be affected by such information;

(b) Speculate or wager;

(c) Harm another's reputation;

(d) Advance personal or political interests; or

(e) Assist another in doing any of the above.

103.4-4. *Use of Nation Resources*. Oneida Business Committee members are entrusted with the resources of the Nation and shall act as responsible stewards. Misuse, misappropriation, or any form of impropriety in handling the Nation's funds or property is a violation of this sacred trust.

103.4-5. *Fair Dealing and Impartiality*. Oneida Business Committee members shall carry out their duties with fairness, honesty, and impartiality, honoring the trust placed in them by the Oneida people. Oneida Business Committee members shall:

(a) Refrain from granting special treatment beyond what is available to others under the law;

(b) Make decisions based solely on merit, facts, and the well-being of the Nation, free from bias, favoritism, or personal interest;

(c) Avoid conduct that creates the appearance of impropriety or undermines community trust.

(d) Treat all individuals with respect and dignity, and foster an environment of equity, justice, and inclusion in governmental dealings.

103.4-6. *Accountability and Transparency*. Public service is a sacred responsibility. Oneida Business Committee members are entrusted by the Oneida people to act with integrity, humility, and accountability. Their actions shall reflect the values of the Nation and honor the trust placed in them by the community.

(a) *Duty to be Accountable*: Oneida Business Committee members shall be answerable to the Oneida people for their decisions, conduct, and use of authority; explain their actions, accept responsibility for mistakes, and take corrective steps when necessary. Accountability is not only a legal obligation, it is a cultural duty rooted in respect for the people and the teachings of the Good Mind (see Section103.1-2).

(b) *Transparency in Governance.* Transparency is essential to maintaining the good mind and the confidence of the people. Oneida Business Committee members shall:

(1) Conduct public business in a manner that is open, honest, and accessible to the community;

(2) Provide timely and accurate information about decisions, policies, and the use of Nation resources; and

(3) Ensure that records, reports, and proceedings are maintained and made available in accordance with the laws and customs of the Nation.

(c) *Community Engagement*. Oneida Business Committee members shall actively seek the voices of the people, respecting the wisdom of elders, the concerns of families, and the guidance of traditional knowledge. Decisions shall reflect the collective good and be made with the understanding that leadership is a service to the Nation, not a privilege.

103.4-7. *Nepotism Prohibited.* The Oneida people expect their leaders to act with integrity and impartiality. Avoiding nepotism is essential to maintaining sacred trust between the government and the community, and to ensuring that all Oneida people have equal opportunity to serve and contribute to the Nation.

(a) *Commitment to Fairness*. Leadership shall be guided by fairness, respect, and the Good Mind (see Section103.1-2). Favoring family members in employment, appointments, or decision-making undermines the trust of the people and disrupts the balance that is essential to good governance.

(b) *Preferential Treatment Prohibited.* No Oneida Business Committee member shall use their position to secure employment, advancement, contracts, or other benefits for immediate family members or close relatives. All decisions shall be made based on merit, qualifications, and the best interests of the Nation.

(c) *Employment and Oversight Restrictions*. No Oneida Business Committee member shall supervise, evaluate, or participate in employment decisions involving a family member. The Nation shall implement procedures to ensure that hiring and promotion processes are free from undue influence and favoritism.

103.4-8. *Employment Applications by Oneida Business Committee Members.* Employment Application for Direct Report Positions.

(a) Oneida Business Committee service is a sacred duty that requires attention and impartiality, Oneida Business Committee members who intend to apply for employment in positions that report directly to the Oneida Business Committee shall provide written notice to the Oneida Business Committee prior to applying.

(a) *Notice of Intent*. Written notice shall identify the position sought and the hiring authority. The notice is information and does not require formal approval.

(b) *Hiring Process Participation*. Oneida Business Committee members shall not participate in hiring decisions or processes for positions they seek.

(c) *Scope*. This section applies only to positions that are direct reports to the Oneida Business Committee.

103.4-9. *Gifts and Honorarium*.

(a) *Prohibition on Gifts for Business Privilege.* No Oneida Business Committee member shall accept any gift, gratuity, or honorarium of any value in exchange for, or as a condition of, doing business with the Nation.

(b) *Reporting Requirements*. Oneida Business Committee members shall report any gift, honorarium, or sponsored event with a fair market value of one thousand dollars ($1000) or more that is given in connection with activities organized by or participated in on behalf of the Nation. Such disclosures shall be made using the OBC Gift Disclosure Form and submitted for inclusion on an OBC meeting agenda. The disclosure shall be presented for Oneida Business Committee acceptance, and the member shall refrain from participating in any related discussions or decision-making, when appropriate, to uphold the integrity of governance.

(1) Sponsored events not paid for or reimbursed by the Nation or another government, such as social, recreational, or entertainment events must be reported as gifts.

(2) Events paid for or reimbursed by another government for official duties, such as consultations, meetings, or training, are official business and not reportable under this section.

(c) *Gift Disclosure Form and Public Record*. Gifts or gratuities meeting the criteria in 103.4-9(b) shall be documented using the Gift Disclosure Form and submitted to the Office of the Nation's Secretary within ten (10) business days of receipt.

(1) The Office of the Secretary shall maintain a public record of all reported gifts and honoraria; and

(2) The Oneida Law Office shall maintain and update the Gift Disclosure Form and related procedures.

(d) *Gifts below the Reporting Threshold*. Gifts or honoraria valued at nine hundred ninety-nine dollars and ninety-nine cents ($999.99) or less are not required to be reported on the Gift Disclosure Form.

(e) *Cultural and Ceremonial Gifts*. Gifts given in the context of traditional, ceremonial, or cultural exchange shall be exempt from reporting requirements. Oneida Business Committee members are encouraged to consult with the Oneida Law Office when in doubt.

103.4-10. *Prohibited Conduct*. Oneida Business Committee members are expected to walk with the Good Mind (see Section103.1-2), honoring the trust of the people and the teachings of the Great Law of Peace. The following conduct is prohibited as it undermines the integrity of governance, the dignity of the Nation, and the responsibilities entrusted to those who serve. No Oneida Business Committee member shall:

(a) Use their position for personal gain, financial benefit, or advancement of family, friends, or associates.

(b) Engage in any form of bribery, coercion, or undue influence in the performance of their duties.

(c) Misuse or misappropriate Nation resources, including funds, property, or confidential information.

(d) Discriminate against or harass any individual based on race, gender, age, religion, tribal affiliation, or any other protected status.

(e) Retaliate against any person who reports unethical behavior, misconduct, or violations of this law.

(f) Falsify records, reports, or communications related to their Oneida Business Committee member duties.

(g) Accept gifts, gratuities, or honoraria in violation of Section103.4-9.

(h) Participate in decisions where a conflict of interest exists, as defined in Section103.4-2.

(j) Engage in nepotism or favoritism in hiring, supervision, or contracting, as prohibited in Section103.4-7.

(k) Act in a manner that brings dishonor to the Oneida people or undermines the public's trust in the Nation's government.

103.4-11. *Cultural Accountability*. Oneida Business Committee members are reminded that their conduct reflects not only on themselves but on the Nation as a whole. They are expected to uphold the teachings of the Good Mind (see Section103.1-2), protect the well-being of the community, and serve with humility, honor, and respect.

103.4-12. *Attendance and Meeting Conduct*. Oneida Business Committee members shall honor their responsibility to participate fully and professionally in the governance of the Nation. Attendance and conduct during meetings reflect the integrity of leadership and the trust placed in the Oneida Business Committee by the Oneida people. Accordingly:

(a) *Commitment to Presence and Preparedness*. Oneida Business Committee members shall attend all scheduled meetings unless excused or prevented by circumstances beyond their control. Absences should be communicated promptly and with respect for the body's ability to conduct business. Oneida Business Committee members are expected to arrive prepared, having reviewed all materials necessary for informed decision-making.

(b) *Engagement and Respectful Dialogue*. Meetings shall be conducted in a manner the upholds the Good Mind (see Section 103.1-2) and fosters constructive dialogue. Oneida Business Committee members shall:

(1) Participate actively and thoughtfully, contributing to deliberations with clarity and respect.

(2) Listen attentively to others, avoid interruptions, and ensure that all voices are heard.

(3) Refrain from conduct that disrupts proceedings or diminishes the dignity of the office.

(c) *Professionalism and Integrity in Deliberation*. Decisions shall be made based on merits, facts, and the collective good of the Nation. Oneida Business Committee members shall:

(1) Avoid side conversations, electronic distractions, or any behavior that signals disengagement.

(2) Maintain confidentiality of closed-session discussions and sensitive information.

(3) Conduct themselves in a manner that reflects honor, impartiality, and accountability.

(d) *Responsibility for Governance Continuity*. Attendance and participation are essential to the functioning of the Nation's government. Persistent failure to meet these expectations may constitute a breach of sacred trust.

103.5. Enforcement. Enforcement of this law shall be conducted in accordance with all applicable laws and regulations of the Nation.

End.

Adopted - Oneida Business Committee minutes, 10-21-91
Adopted - BC-11-23-94-A
Emergency Amendment - BC-04-12-06-JJ
Amended - BC-09-27-06-E (adoption of emergency amendment)
Amended – BC- - - -

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

Legislative Operating Committee
March 18, 2026

Pardon and Forgiveness Law Amendments

Submission Date: 2/5/26	**Public Meeting:** N/A
LOC Sponsor: Jonas Hill	**Emergency Enacted:** N/A

Summary: *This item was added to the Active Files List on February 18, 2026 at the request of the Oneida Business Committee to allow flexibility in pardon eligibility when fines prevent payment.*

2/18/26 LOC: Motion by Jennifer Webster to add the Pardon and Forgiveness Law Amendments to the Active Files List with Jonas Hill as the sponsor; seconded by Kirby Metoxen. Motion carried unanimously.

2/25/26: *Work Meeting*. Present: Kelly McAndrews, Grace Elliott. The purpose of this meeting was to review attorney McAndrew's comments on the proposed amendments to the Pardon and Forgiveness law.

2/27/26: *Work Meeting*. Present: Grace Elliott, Peggy VanGheem. The purpose this meeting was to review attorney VanGheem's comments on the proposed amendments to the Pardon and Forgiveness law.

3/4/26: *Work Meeting*. Present: Jameson Wilson, Jennifer Webster, Jonas Hill, Kirby Metoxen, Carolyn Salutz, Kristal Hill, Fawn Billie, Clorissa Leeman, Grace Elliott. The purpose of this meeting was to provide an update and complete a read through of the amendments for LOC review and initial approval to move forward through the legislative process.

Next Steps:

- Approve the draft Pardon and Forgiveness law amendments, legislative analysis, and public meeting packet for the Pardon and Forgiveness law amendments and schedule a public meeting to be held on May 14, 2026.

A good mind. A good heart. A strong fire.

PARDON AND FORGIVENESS LAW AMENDMENTS LEGISLATIVE ANALYSIS

SECTION 1. EXECUTIVE SUMMARY

Analysis by the Legislative Reference Office	

Intent of the Legislation or Amendments	▪ Create an exception allowing applicants with outstanding penalties/fines to proceed only if the application is for employment purposes and the applicant meets the requirements for a conditional waiver under 126.6-3. *[1 O.C. 126.6-2(d)].*
	▪ Establish the full conditional waiver framework, including:
	  ▪ waiver applies only to employment eligibility;
	  ▪ outstanding penalties/fines remain fully enforceable;
	  ▪ mandatory payment agreement (18 months or extended to 3 years if >$5,000);
	  ▪ requirements for Pardon and Forgiveness Committee recommendation;
	  ▪ good-cause exception for missed payments;
	  ▪ grounds for rescission for non-payment. *[1 O.C. 126.6-3].*
	▪ Allow an applicant proceeding under the conditional waiver (employment-only) to submit proof of a Pardon and Forgiveness Committee-approved payment agreement instead of proof of full payment. *[1 O.C. 126.6-4(a)(12; 126.6-4(b)(11)].*
	▪ Clarify that a pardon or forgiveness does not affect restrictions imposed under the Nation's Safe Neighborhoods law, in addition to existing sex-offender requirements. *[1 O.C. 126.9-1(c)].*
	▪ Require the Oneida Secretary's Office to monitor payment-related conditions and provide quarterly reports to the Pardon and Forgiveness Committee; and clarify that monitoring is solely for eligibility enforcement, not decision-making. *[1 O.C. 126.9-4].*
	▪ Authorize the OBC to rescind a pardon/forgiveness when a person fails to meet a payment condition under 126.6-3, with notice and a 30-day cure period; reinstates all prior ineligibilities. Includes subsections specifying:
	  ▪ rescission is an eligibility action, not an employment action;
	  ▪ notice must be issued per 126.10-4. *[1 O.C. 126.10-7].*

Purpose	The purpose of this law is to establish a fair, efficient, and formal process through which individuals may seek relief from certain barriers created by past actions. Specifically, the Law provides a process for: ▪ Tribal members to receive pardons for criminal convictions; ▪ Tribal members to receive forgiveness for acts that make them ineligible for Tribal housing or other Tribal benefits; and ▪ Tribal and non-Tribal individuals to receive forgiveness for acts that make them ineligible for Tribal employment, occupational licenses, certifications, permits, housing, or other Tribal benefits *[1 O.C. 126.1-1(a)].*

	The Law further aims to ensure that decisions on pardons and forgiveness are made based on demonstrated rehabilitation, trustworthiness, and commitment to lawful behavior. It clarifies that a pardon or forgiveness does not override obligations imposed by other jurisdictions and does not permit employment in occupations where individuals are legally disqualified *[1 O.C. 126.1-2]*.
Affected Entities	Oneida Business Committee; Office of the Oneida Secretary (records); Pardon and Forgiveness Committee, Oneida community members.
Related Legislation	Personnel, Policies, and Procedures; Safe Neighborhoods.
Enforcement	▪ Individuals may be automatically ineligible if they are under investigation, appealing a termination, incarcerated, or have outstanding penalties/fines, unless they qualify for the employment-only conditional waiver under 126.6-3 *[1 O.C. 126.6-2]*. ▪ Applications may be denied, returned, or removed if incomplete, and misrepresentation can result in denial or later rescission of a granted pardon or forgiveness *[1 O.C. 126.6-5–6]*. ▪ Failure to appear at a hearing allows the Committee to postpone action or recommend denial if documentation is not provided within ten (10) days *[1 O.C. 126.8-3]*. ▪ After relief is granted, the OBC or Committee may impose conditions (e.g., restitution, community service) and restrictions on employment or other benefits, and applicants must comply to retain restored eligibilities *[1 O.C. 126.9-2–3]*. ▪ The Secretary's Office must monitor compliance with payment conditions and submit quarterly reports under the new monitoring requirement *[1 O.C. 126.9-4]*. ▪ The OBC may rescind a pardon, forgiveness, or conditional waiver for failure to meet payment obligations, reinstating all prior ineligibilities after notice and a 30-day cure period *[1 O.C. 126.10-7]*.
Due Process	The Pardon and Forgiveness Law provides several due process protections to ensure that applicants receive fair treatment throughout the pardon or forgiveness process. Applicants have the right to a public hearing with at least thirty (30) days' notice sent by certified mail and posted in prominent locations, giving them adequate time to prepare *[1 O.C. 126.8-1]*. They also have the ability to request alternate arrangements, such as appearing by video conference, when residing outside Wisconsin or when attendance is otherwise impractical—thus ensuring access to participation even when physical presence is difficult *[1 O.C. 126.8-2]*. During the hearing, applicants may provide oral testimony, submit documents, and respond to questions; victims and witnesses may also participate directly or through notarized statements, supporting transparency and full consideration of relevant information *[1 O.C. 126.8-4]*. Due process is also reinforced by allowing applicants ten (10) days to provide documentation if they miss a hearing for legitimate reasons, preventing automatic denial without an opportunity to be heard *[1 O.C. 126.8-3]*. After the hearing, due process continues through structured, accountable decision-making requirements. The Committee must deliberate in executive session and issue a formal written recommendation explaining the reasons for approval or denial, which is forwarded to the Oneida Business Committee (OBC) with all supporting materials *[1 O.C. 126.8-5]*. The OBC must then make the final decision by resolution in open session, including the reasons for the decision and a listing of the specific crimes pardoned or acts forgiven, ensuring a clear and reviewable record *[1 O.C. 126.10-3]*. Applicants must receive written notice of the final

	decision within ten (10) business days *[1 O.C. 126.10-4]*. Even in rescission proceedings—added through these proposed amendments—individuals are entitled to notice and thirty (30) days to provide proof of compliance before the OBC may revoke a pardon, forgiveness, or conditional waiver, preserving fundamental fairness before any loss of eligibility occurs *[1 O.C. 126.10-7]*. Collectively, these provisions embed procedural fairness at each stage and ensure that decisions affecting rights and opportunities are made transparently, with meaningful opportunities for participation.
Public Meeting	A public meeting has not yet been held.
Fiscal Impact	A fiscal impact statement prepared in accordance with the Legislative Procedures Act has not yet been requested.

SECTION 2. LEGISLATIVE DEVELOPMENT

A. ***Background.*** The Pardon and Forgiveness law was previously adopted and amended as follows: Resolution BC-05-25-11- A and amended by Resolution BC-01-22-14-B.

B. ***Request for Amendments.*** The Pardon and Forgiveness law was added to the Active Files List on February 18, 2026 at the request of the Oneida Business Committee.

SECTION 3. CONSULTATION AND OUTREACH

- Representatives from the following departments or entities participated in the development of the amendments to this Law and legislative analysis:
  - Pardon and Forgiveness Committee and
  - Oneida Law Office;
- The following laws of the Nation were reviewed in the drafting of this analysis:
  - Personnel, Policies, and Procedures, and
  - Safe Neighborhoods.

SECTION 4. PROCESS

A. The amendments to this Law comply with the process set forth in the Legislative Procedures Act.
  - On February 18, 2026, the Legislative Operating Committee added this Law to its Active Files List for amendments.

B. At the time this legislative analysis was developed the following work meetings had been held regarding the development of the amendments to this law:
  - February 25, 2026: LRO work session with Oneida Law Office.
  - February 27, 2026: LRO work session with Oneida Law Office.
  - March 4, 2026: LOC work session.
  - Additionally, several email communications with the Pardon and Forgiveness Committee occurred between February 23, 2026 and February 26, 2026.

SECTION 5. CONTENTS OF THE LEGISLATION

- ***Definitions.*** The proposed amendments add and expand several definitions to support the new conditional-waiver and rescission procedures. Definitions are added or amended for the following

terms: Conditional Waiver *[1 O.C. 126.3-1(d)],* Employment Purposes *[1 O.C. 126.3-1(j)],* Outstanding Penalties, Fines, or Other Debts (expanded) *[1 O.C. 126.3-1(o)]* and Rescind *[1 O.C. 126.3-1(r)].*

- *Effect.* Updating and expanding these definitions clarifies key concepts governing eligibility, outstanding debts, employment-only applications, and rescission. These changes enhance clarity in the Law, reduce ambiguity, and ensure consistent interpretation. They also support the new conditional-waiver process by clearly defining the terms used to determine when an applicant may be considered despite outstanding financial obligations. Definitions strengthen procedural transparency and ensure parties understand the meaning and implications of new mechanisms introduced in later sections.

- ***Good mind and Sacred Trust Framework.*** The proposed amendments incorporate the Good Mind teachings directly into the ethical foundation of the law. These teachings — including Kahletsyalléslа (encouraging the best in each other), Kanolukhwát^sla (compassion and identity), Kaʔnikuhli.yo̱ (openness of spirit), Kaʔtshatst^sla (strength of vision), Kalihwi.yo̱ (good words), Twahwahtsilay̱ʌ́ (we are all family), and Yukwatsistay̱ʌ́ (the fire within) — are identified as core expectations for OBC members. *[1 O.C. 126.1-2].*
  - *Effect*. This change re-roots the Code in Oneida cultural teachings, reinforcing that ethical leadership is not merely procedural but spiritual, relational, and reflective of ancestral values. It supports community understanding that leaders are called to uphold balance, compassion, truth, and unity when carrying out their responsibilities.
- ***Eligibility Exception for Employment-Only Applications.*** The proposed amendments create a narrow eligibility exception allowing applicants with outstanding penalties or fines to proceed when the application is made solely for employment purposes and the individual qualifies for a conditional waiver. *[1 O.C. 126.6-2(d)].*
  - *Effect*. This amendment allows individuals whose only barrier to employment eligibility is unpaid financial obligations to have their applications considered, provided they enter an approved payment plan under Section 126.6-3. This improves fairness by recognizing that individuals may be employable even if they have outstanding debts, while still requiring accountability for repayment. The effect is not to forgive any fines but to allow the employment review to proceed under structured conditions.
- ***Creation of Conditional Waiver Framework***. The proposed amendments to the Law create A new section—Conditional Waiver—is created to establish detailed requirements for when the Committee may recommend an exception to ineligibility. This section includes: criteria for eligibility; required written payment agreements; standard and extended repayment timelines; mandatory conditions under Section 126.9-3; a good-cause exception for missed payments; and provisions linking non-payment to rescission under Section 126.10-7.*[1 O.C. 126.6-3].*
  - *Effect*. The new Conditional Waiver provides an avenue for employment eligibility without altering or forgiving unpaid penalties or fines. It creates a structured, accountability-focused mechanism to allow hiring while requiring applicants to demonstrate good-faith repayment efforts. The framework strengthens the Law by promoting economic stability and rehabilitation, while maintaining the integrity of outstanding obligations. The effect is to balance individual opportunity with responsibility through a regulated and enforceable process.

- ***Application Documentation Modified.*** The proposed amendments to the Law allow applicants proceeding under the Conditional Waiver to submit proof of a Committee-approved payment agreement in place of proof of full payment of penalties or fines. *[1 O.C. 126.6-4(a)(12)], [1 O.C. 126.6-4(b)(11)].*
    - *Effect.* These amendments align application requirements with the new Conditional Waiver process, ensuring applicants are not excluded solely because they have not yet completed repayment. This supports accessibility and ensures consistency in how employment-only applications are processed under the amended eligibility structure.
- ***Sex-Offender Restrictions Clarified.*** The proposed amendments to the Law specify that a Tribal pardon does not affect registration, tracking, or other restrictions, including those imposed under the Nation's Safe Neighborhoods law. *[1 O.C. 126.9-1(c)].*
    - *Effect.* This change reinforces public-safety protections by ensuring that pardons do not override legal obligations associated with sex-offender status. It clarifies the continuing applicability of safety-related restrictions and prevents misinterpretation regarding the impact of a Tribal pardon.
- ***Monitoring Requirements Added.*** The proposed amendments to the Law require the Tribal Secretary's Office to monitor compliance with payment-related conditions and provide quarterly reports to the Committee. *[1 O.C. 126.9-4].*
    - *Effect.* This amendment institutionalizes oversight of repayment obligations associated with conditional waivers. By assigning an office to track compliance, the Law ensures consistent enforcement, enhances accountability, and supports the OBC's ability to determine when rescission is warranted.
- ***Rescission for Non-Payment Codified.*** The proposed amendments to the Law authorizes the OBC to rescind a pardon or forgiveness when an individual fails to meet payment conditions imposed under 126.6-3, after notice and a 30-day opportunity to cure. *[1 O.C. 126.10-7].*
    - *Effect*. This amendment establishes a clear legal mechanism for restoring prior ineligibilities when an individual does not comply with repayment requirements. It ensures the Conditional Waiver system is enforceable, protects the integrity of eligibility standards, and prevents misuse of the waiver process. It also clarifies that rescission is an eligibility action, not an employment disciplinary action.

SECTION 6. EXISTING LEGISLATION

A. ***Related legislation.*** The following laws of the Nation are related to the proposed amendments to this Law:
    - ***Personnel, Policies and Procedures.*** The purpose of the Personnel, Policies and Procedures law is to provide employees with a ready source of information about employee related Oneida Nation policies and procedures. The law addresses recruiting, selection policy, compensation and benefits, employee relations, safety and health, program/enterprise rules and regulations, recordkeeping, and privacy and confidentiality of employee records.
        - The proposed amendments to the Pardon and Forgiveness law establish a narrow eligibility exception for applications made solely for employment purposes, allowing individuals with outstanding fines or penalties to proceed if they qualify for a conditional waiver under *[1 O.C. 126.6(2)(d)].* This change applies only where unpaid financial obligations are the individual's sole barrier to employment and requires participation in

an approved payment plan pursuant to *[1 O.C. 126.6(3)]*. The amendments do not forgive or eliminate any fines or penalties; rather, they allow employment-related applications to move forward under structured conditions that maintain accountability while preventing financial barriers from permanently excluding otherwise qualified individuals from employment.

- ***Safe Neighborhoods law***. The purpose of the Safe Neighborhoods law is not to impose a criminal penalty but rather to serve the Nation's compelling interest to promote, protect, and improve the health, safety, and welfare of the reservation population by prohibiting sex offenders from loitering or residing in specified areas around locations where vulnerable populations, including children, regularly congregate. This law recognizes the right of sex offenders to reenter the community. Therefore, through this law the Nation balances its responsibility to sex offenders with its responsibility to protect the surrounding community by promoting regulatory measures which provide protections for the community that do not wholly prohibit sex offenders from being part of this community. *[3 O.C. 310.1-1]*. It is the underlying policy of the law that due to the high rate of recidivism for sex offenders, the Nation declares that sex offenders are a serious threat to the public safety of vulnerable populations, including children, if regulatory measures are not in place that protect the community by reducing opportunity and temptation by prohibiting sex offenders from being present on or residing in specified areas designated as places where vulnerable populations commonly congregate. *[3 O.C. 310.1-2]*.
    - The proposed amendments to the Pardon and Forgiveness law are narrowly tailored and apply solely to employment-related purposes. These amendments do not alter, limit, or affect the Safe Neighborhoods law in any way. All protections and provisions of the Safe Neighborhoods law remain fully in effect.

SECTION 7. ENFORCEMENT AND ACCOUNTABILITY

- The Pardon and Forgiveness Law enforces compliance through a combination of eligibility controls, application requirements, hearing enforcement, and post-relief oversight. Individuals may be deemed automatically ineligible if they are under investigation, appealing a termination, incarcerated, or have outstanding penalties or fines, unless they qualify for the employment-only conditional waiver under 126.6-3 *[1 O.C. 126.6-2]*. Applicants who fail to provide complete information or who misrepresent facts may have their applications denied, returned, or removed from consideration, and misrepresentation discovered after a pardon is granted may result in rescission *[1 O.C. 126.6-5–6]*. Hearing attendance is enforced by authorizing the Committee to postpone a determination or recommend denial if the applicant does not appear and does not provide valid documentation within ten days *[1 O.C. 126.8-3]*.
- Once a pardon, forgiveness, or conditional waiver is granted, the Law enforces continued compliance through conditions, restrictions, monitoring, and rescission. The Oneida Business Committee or the Screening Committee may impose restrictions on employment or other Tribal benefits, or conditions such as restitution or community service, and applicants must comply with these terms to retain their restored eligibilities *[1 O.C. 126.9-2–3]*. Under the newly added monitoring requirement, the Tribal Secretary's Office must track compliance with payment-related conditions and provide quarterly reports to the Committee *[1 O.C. 126.9-4]*. The Law's strongest enforcement

tool is the rescission authority, which allows the OBC to revoke a conditional waiver, pardon, or forgiveness if an individual fails to meet payment conditions, reinstating all prior ineligibilities after proper notice and opportunity to cure *[1 O.C. 126.10-7].*

SECTION 8. OTHER CONSIDERATIONS

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

- *Conclusion*. The Legislative Operating Committee has not yet directed that a fiscal impact be completed.

ONEIDA NATION PUBLIC MEETING NOTICE

THURSDAY May 14, 2026, 12:15 pm

Norbert Hill Center-Business Committee Conference Room
N7210 Seminary Rd., Oneida, Wisconsin

Find Public Meeting Materials at
Oneida-nsn.gov/government/register/public meetings

Send Public Comments to
LOC@oneidanation.org

Ask Questions here
LOC@oneidanation.org
920-869-4417

PARDON AND FORGIVENESS LAW AMENDMENTS

The purpose of the Pardon and Forgiveness law is to establish a fair, efficient, and formal process through which individuals may seek relief from certain barriers created by past actions.

The Pardon and Forgiveness law amendments will:

- Create an exception allowing applicants with outstanding penalties or fines to proceed when the application is for employment purposes and the applicant meets the requirements for a conditional waiver.
- Align the Law's policy with the principals of the Good Mind.
- Establish the full conditional waiver framework, including:
  - Waiver applies only to employment eligibility;
  - Outstanding penalties/fines remain fully enforceable;
  - Mandatory payment agreement (18 months or extended to 3 years if >$5,000);
  - Requirements for Pardon and Forgiveness Committee recommendation;
  - Good-cause exception for missed payments;
  - Grounds for rescission for non-payment.
- Allow an applicant proceeding under the conditional waiver (employment-only) to submit proof of a Pardon and Forgiveness Committee approved payment agreement instead of proof of full payment.
- Clarify that a pardon or forgiveness does not affect restriction imposed under Oneida's Safe Neighborhood's law, in addition to existing sex-offender requirements.
- Authorize the OBC to rescind a pardon/forgiveness when a person fails to meet a payment condition, with notice and a 30 day cure period;
- Clarify that rescission is an eligibility action, not an employment action.

Individuals may attend the public meeting for the proposed amendments to the Pardon and Forgiveness law in person at the Norbert Hill Center, or virtually through Microsoft Teams. If you wish to attend the public meeting through Microsoft Teams please contact LOC@oneidanation.org.

PUBLIC COMMENT PERIOD CLOSES THURSDAY MAY 21, 2026

During the public comment period, anyone may submit written comments, questions or input. Comments may be submitted to the Oneida Nation Secretary's Office or the Legislative Reference Office in person, by U.S. mail, interoffice mail, or e-mail.

For more information on the proposed amendments to the Pardon and Forgiveness law please review the public meeting packet at oneida-nsn.gov/government/register/public meetings.

Draft 1 (Redline)
2026 03 18

Title 1. Government and Finances - Chapter 126
PARDON AND FORGIVENESS
Tsiʔnáhte ʌhutatwani·yóne Olihwá·ke
of what they will be free of matter

126.1. Purpose and Policy
126.2. Adoption, Amendment, Conflicts
126.3. Definitions
126.4. Pardon and Forgiveness Screening Committee Responsibilities
126.5. Tribal Secretary's Office Responsibilities
126.6. Pardon and Forgiveness Eligibility and Application
126.7. Fees
126.8. Hearings
126.9. Conditions and Restrictions
126.10. Oneida Business Committee

126.1. Purpose and Policy

126.1-1. *Purpose.*

(a) The purpose of this Law is to provide a fair, efficient and formal process by which:

(1) a Tribal member may receive a pardon for the conviction of a crime(s); or

(2) a Tribal member may receive forgiveness for acts that render him or her ineligible for housing with the Tribe or other Tribal benefits.

(3) a Tribal member or non-Tribal member may receive forgiveness for acts that render him or her ineligible for Tribal employment; an occupational license, certification or permit issued by the Tribe; housing through the Tribe; or other Tribal benefit.

(b) This Law defines the duties and responsibilities of the Oneida Pardon and Forgiveness Screening Committee, Oneida Business Committee, Oneida Tribal Secretary's Office, and other persons involved in the granting or denial of pardons and forgiveness.

126.1-2. *Policy.* It is the policy of the Oneida Tribe of Indians of Wisconsin to grant pardons or forgiveness to individuals upon demonstration of full rehabilitation, trustworthiness and/or commitment to lawful behavior. Nothing contained herein shall be construed as permitting the employment of individuals who are otherwise disqualified for employment from certain occupations under Tribal, State or Federal Law. Receipt of a pardon or forgiveness does not affect obligations imposed as part of a sentence or conviction in another jurisdiction.

In carrying out this policy, the Nation upholds and reflects the core values of The Good Mind as expressed by Onʌyoteʔa·ka, which includes:

(a) Kahletsyalúsla. The heartfelt encouragement of the best in each of us.

(b) Kanolukhwásla. Compassion, caring, identity, and joy of being.

(c) Kaʔnikuhli·yó. The openness of the good spirit and mind.

(d) Kaʔtshatstʌ́sla. The strength of belief and vision as a People.

(e) Kalihwi·yó. The use of the good words about ourselves, our Nation, and our future.

(f) Twahwahtsílayʌ. All of us are family.

(g) Yukwatsístayʌ. Our fire, our spirit within each one of us.

126.2. Adoption, Amendment, Conflicts

126.2-1. This Law was adopted by the Oneida Business Committee by Resolution BC-05-25-11-A and amended by ~~Resolution~~Resolutions BC-01-22-14-B, and BC-XX-XX-XX-X.

126.2-2. This Law may be amended pursuant to the procedures set out in Tribal law by the Oneida

Business Committee or the Oneida General Tribal Council.

126.2-3. Should a provision of this Law or the application thereof to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this Law which are considered to have legal force without the invalid portions.

126.2-4. In the event of a conflict between a provision of this Law and a provision of another law, ordinance, policy, regulation, rule, resolution, or motion, the provisions of this Law shall control. Provided that, this Law repeals Resolution BC-7-31-02-A: Resolution Adopting a New Oneida Pardon Ordinance.

126.2-5. This Law is adopted under authority of the Constitution of the Oneida Tribe of Indians of Wisconsin.

126.3. Definitions

126.3-1. This section shall govern the definitions of words and phrases used within this Law. All words not defined herein shall be used in their ordinary and everyday sense.

(a) "Applicant" ~~shall mean~~means an individual who is applying for a pardon or forgiveness from the Tribe.

(b) "Certified mail" ~~shall mean~~means mail sent through either the United States Postal Service or the Tribal Inter-Office Certified system that provides proof of delivery and receipt.

(c) "Committee" ~~shall mean~~means the Pardon and Forgiveness Screening Committee.

(d) "Conditional Waiver" means a temporary exception to the ineligibility criteria under section 126.6-2(d) for employment-related application; it does not constitute a pardon or forgiveness and does not alter, waive, or satisfy any outstanding monetary obligation.

(e) "Conditions" ~~shall mean~~means a requirement or prerequisite event or activity.

(~~e~~f) "Conflict of interest" ~~shall mean~~means a conflict between the private interests and the official responsibilities of the committee member.

(~~f~~g) "Conviction" ~~shall mean~~means an individual was either found guilty or entered a plea of guilty or no contest to charges of a crime in any court of competent jurisdiction.

(~~g~~h) "Court of competent jurisdiction" ~~shall mean~~means any court or forum that has the power and authority to properly exercise jurisdiction over a dispute or interpret and/or enforce laws.

(~~h~~i) "Crime" ~~shall mean~~means any act, default, or conduct punishable as a felony or a misdemeanor.

~~(i) "~~(j) "Employment purposes" means seeking eligibility for employment with the Nation or to remove a bar to continued employment with the Nation, including positions subject to background eligibility determinations.

(k) "Forgiveness" ~~shall mean~~means the formal and public act of acknowledging or excusing an individual's actions or behavior that makes him or her ineligible for Tribal employment, an occupational license, certification or permit issued by the Tribe, housing through the Tribe or other Tribal benefit

(~~j~~l) "Hearing" ~~shall mean~~means a public hearing, a noticed public forum in which an applicant has an opportunity to present a case for obtaining a pardon or forgiveness from the Tribe.

(~~k~~m) "Individual" ~~shall mean~~means a Tribal member seeking a pardon for a conviction of a crime, a Tribal member seeking forgiveness for an act(s) that makes him or her ineligible for housing with the Tribe or other Tribal benefit(s) or anyone seeking forgiveness for an act(s) that renders him or her ineligible for employment, an occupational license, certification or permit issued by the Tribe.

(~~l~~n) "Family member" ~~shall mean~~means a spouse, child sibling, parent, grandparent, grandchild, step-parent, step-child, in-law or legal guardian.

~~(m) "Pardon" shall mean~~(o) "Outstanding penalties, fines, or other debts" means any unpaid monetary obligations owed to the Nation or arising from any Tribal, State, Federal, or Municipal court order, judgement, stipulation, or payment requirement, including but not limited to penalties, fines, fees, repayment obligations, or court-ordered financial conditions that are due and payable.

(p) "Pardon" means the formal and public act of acknowledging or excusing a Tribal member's criminal conviction that makes him or her ineligible for Tribal employment, an occupational license, a certification or permit issued by the Tribe, housing through the Tribe, or other Tribal benefit.

(~~n~~q) "Prominent locations" shall include, but not be limited to, the following: the Tribal newspaper; at least one (1) local newspaper with regular distribution within the Reservation boundaries; one (1) regional Indian newspaper; and the Tribe's official website.

(~~o~~r) "Rescind" means to formally revoke, cancel, or withdraw a previously granted pardon or forgiveness through Oneida Business Committee resolution, thereby restoring all prior ineligibilities and returning the applicant to the status that existed before the pardon or forgiveness was granted.

(s) "Restriction" ~~shall mean~~means a limitation or constraint imposed.

(~~p~~t) "Tribal" or "Tribe" ~~shall mean~~means the Oneida Tribe of Indians of Wisconsin.

(~~q~~u) "Victim" ~~shall mean~~means a person or entity against whom an offense, either civil or criminal, has been committed.

126.4. Pardon and Forgiveness Screening Committee Responsibilities

126.4-1. A Committee is hereby created for the purpose of carrying out the provisions of this Law.

126.4-2. *Authority.* The Committee shall:

(a) promulgate internal standard operating procedures necessary to govern its proceedings;

(b) review and process applications for a pardon or forgiveness in an orderly and expeditious manner;

(c) review an applicant's background investigation report received from the Oneida Human Resources Department;

(d) conduct and preside over hearings;

(e) provide formal, written recommendations to the Oneida Business Committee to approve or deny a pardon or forgiveness application; and

(f) take other actions reasonably related to the purpose of the Committee.

126.5. Tribal Secretary's Office Responsibilities

126.5-1. The Tribal Secretary's Office shall assist the Committee with carrying out the provisions of this Law and assist individuals in applying for a pardon or forgiveness. The Tribal Secretary's Office shall:

(a) create and implement procedures necessary to process pardon and forgiveness applications.

(b) accept pardon and forgiveness applications.

(c) submit and track requests for a background investigation.

(d) forward pardon and forgiveness applications to the Committee when the background investigations are complete.

(e) maintain a record of all pardon and forgiveness applications filed, every pardon and forgiveness request granted or denied, and the reasons for each action.

(f) maintain a complete and accurate record of all proceedings, including all correspondence, transcripts, documents, evidence, and appearances made in connection with the applications.

(g) perform other duties in connection with matters under this Law as may be requested by the Committee.

126.6. Pardon and Forgiveness Eligibility and Application

126.6-1. *Eligibility*. A Tribal member may receive a pardon for any criminal conviction(s), or a forgiveness for an act(s) that renders the Tribal member ineligible for housing with the Tribe or other Tribal benefit(s); and any individual may receive forgiveness for an act(s) that renders the individual ineligible for Tribal employment, an occupational license, certification or permit issued by the Tribe.

(a) Upon completion of incarceration, parole, probation and/or deferred prosecution, Tribal members shall be eligible to apply for a pardon.

(b) One (1) year after an act is committed, or affirmed through the conclusion of any appeal process, an individual shall be eligible to apply for pardon or forgiveness.

126.6-2. *Ineligibility.* An individual is ineligible for a pardon or forgiveness if he or she is:

(a) being investigated for an act and if found to have committed such act, would be ineligible for the benefit he or she is seeking; or

(b) appealing a termination and the termination makes him or her ineligible for the benefit he or she is seeking; or

(c) currently incarcerated, on parole, probation, and/or under a deferred prosecution agreement; or

(d) has any outstanding penalties or fines~~.~~; however, this paragraph does not apply to an application made solely for employment purposes under Section 126.1-1(a)(3) when outstanding penalties or fines are the only unmet eligibility requirement and the applicant qualifies for a conditional waiver under Section 126.6-3.

126.6-3. *Conditional Waiver*. A conditional waiver is not a pardon or forgiveness and does not waive or reduce any penalties, fines, or debts owed to the Nation or any other government. It temporarily lifts the employment-related ineligibility under Section 126.6-2(d) solely for the purpose of allowing an applicant to be considered for employment with the Nation. The conditional waiver exists only within the Committee's authority to recommend an exception to eligibility requirements; it does not authorize the Nation to negotiate, modify, or forgive financial obligations imposed by any court or governmental body.

(a) The Committee may recommend approval despite Section 126.6-2(d) only when:

(i) the application is solely for employment purposes as defined in Section 126.3-1(j);

(ii) outstanding penalties or fines are the sole basis for ineligibility; and

(iii) the applicant enters a written payment agreement with the Pardon and Forgiveness Committee requiring full payment within eighteen (18) months from the OBC resolution date. A payment agreement under this section may consist of any documentation demonstrating how the applicant will satisfy the outstanding obligation and does not require negotiation, approval, or participation from any Tribal, State, Federal, or Municipal government. The payment agreement functions solely as evidence that the applicant is actively addressing the eligibility condition and is not an agreement between the Nation and any outside jurisdiction.

(b) Any recommendation under this section shall include a mandatory condition under Section 126.9-3(a) requiring full payment within eighteen (18) months and compliance

with an approved installment plan.

(c) Failure to comply with the payment agreement constitutes grounds for recission under Section 126.10-7 and immediate reinstatement of prior ineligibility.

(d) Nothing in this section authorizes the Committee to forgive, modify, reduce, or negotiate penalties or fines imposed by any government; the waiver pertains only to employment eligibility with the Nation.

(e) *Exception for Larger Outstanding Obligations*. Notwithstanding Section 126.6-3(a)(iii) and 126.6-3(b), the Committee may recommend a conditional waiver under the following extended timeframes, based on the total amount of outstanding penalties or fines:

i. *Obligations of five thousand dollars ($5,000) or less*. The applicant may be granted up to eighteen (18) months from the OBC resolution date to satisfy the outstanding obligation, provided all other requirements of this section are met.

ii. *Obligations greater than five thousand dollars ($5,000).* The applicant may be granted up to three (3) years from the OBC resolution date to satisfy the outstanding obligation provided:

(A) the applicant submits a written payment plan demonstrating the ability to complete payment within the extended period;

(B) the Committee determines that the extended timeframe is necessary to prevent unreasonable hardship; and

(C) the applicant remains in full compliance with the approved installment plan.

(f) *Good-Cause Exception for Missed Payment*. A missed payment under an approved repayment plan may be excused upon a finding of good cause, provided that:

i. The applicant submits a written explanation within thirty (30) days of the missed payment;

ii. The Committee determines that the missed payment resulted from good cause, which may include but is not limited to unforeseen medical emergencies, loss of income, or other significant and verifiable circumstances; and

iii. The applicant resumes payment under a revised schedule approved by the Committee within thirty (30) days of the good-cause determination.

126.6-3. *Initiating an Application.* Applications for a pardon or forgiveness may be obtained from the Tribal Secretary's Office or on the Tribal website. Completed applications shall be filed with the Tribal Secretary's Office in person, during normal Tribal business hours, or sent by certified mail to the Tribal Secretary at P.O. Box 365, Oneida, WI 54155.

126.6-4. *Required Application Information.* Each applicant is responsible for submitting all required materials and authorizations.

(a) A completed pardon application shall include the following:

(1) a copy of the applicant's Tribal enrollment card.

(2) a copy or copies of any discharge papers from incarceration or jail.

(3) official verification of any successful completion date of the probation, parole or deferred prosecution.

(4) any necessary releases for investigations and/or background checks.

(5) any authorizations from a probation officer to release information.

(6) the required non-refundable fee as specified under 126.6.

(7) a personal written statement, including the reason(s) for requesting a pardon and a description and documentation of the applicant's efforts towards self-improvement.

(8) information regarding the conviction(s) for which the applicant is seeking a

pardon, including:

(A) date(s) upon which the crime(s) occurred;

(B) location(s) where the crime(s) occurred;

(C) date(s) of conviction(s); and

(D) jurisdiction(s) which imposed the sentence(s).

(9) verification of attendance or successful completion of any counseling, therapy, or rehabilitative programs such as anger management or coping skills classes.

(10) letters of reference or support from people well-regarded in the community. Such letters shall detail the applicant's accomplishments or contributions to the community or attest to the applicant's rehabilitation and trustworthiness. These may include, but are not limited to:

(A) clergy or other spiritual leaders.

(B) employers and/or community members.

(C) teachers.

(D) organizers of support groups the applicant attends or has attended.

(11) any other information relevant to the applicant's conviction(s) or rehabilitation efforts.

(12) proof of payment of all penalties and fines. For application proceeding under Section 126.6-3, proof of a Committee-approved payment agreement satisfies the requirement to document outstanding penalties or fines.

(b) A completed forgiveness application shall include the following:

(1) a copy of the applicant's Tribal enrollment card, if applicable.

(2) the applicant's employment record prior to the act, if applicable.

(3) the applicant's background records.

(4) the act that triggered the applicant's ineligibility.

(5) the impact of the act on the Tribe.

(6) the length of time since the act.

(7) a written statement from the applicant demonstrating remorse for the violation.

(8) two (2) letters of recommendation, with no more than one (1) recommendation coming from a person who is a family member of the applicant.

(9) the required non-refundable fee as specified under 126.6.

(10) any additional credible and relevant information.

(11) proof of payment of all penalties and fines. For application proceeding under Section 126.6-3, proof of a Committee-approved payment agreement satisfies the requirement to document outstanding penalties or fines.

126.6-5. Failure of the applicant to provide a complete application, or any of the required information and/or materials may result in:

(a) the application being returned with a request for more information; or

(b) the application being removed from consideration; or

(c) denial of a pardon or forgiveness.

126.6-6. *Applicant Misrepresentations.* Any applicant who misrepresents, omits, or falsifies any information on the application or during the pardon process shall be denied a pardon. If a pardon is granted and it is later determined that there is misrepresented or false information, or pertinent information was purposefully omitted, the Oneida Business Committee shall have the right to rescind the pardon.

126.7. Fees

126.7-1. Each application shall be accompanied by a non-refundable fee as set by the Oneida

Business Committee in a resolution. Said payment shall be made payable to the Oneida Tribe in the form of a:

(a) money order; or

(b) cashier's check; or

(c) intra-tribal purchase document, if a Tribal department or program, such as Social Services, will be providing the funds for the application fee.

126.8. Hearings

126.8-1. *Notice of the Hearing*. The Committee shall conduct quarterly hearings and provide official notice to the applicant by certified mail, including the date, time and location of the hearing, at least thirty (30) calendar days prior to the hearing. Notice shall also be posted in prominent locations at least thirty (30) calendar days prior to the hearing. If alternate arrangements have been made under 126.8-2, notice shall be posted in prominent locations with as much advance notice as possible and as time permits.

(a) Notice of the hearings scheduled for the year shall be posted on the Tribal website and periodically in the Tribal newspaper.

(b) Hearings shall take place at a regularly scheduled time and location to be determined by the Committee and shall be open to the public.

126.8-2. *Alternate Hearing Arrangements*. Applicants who reside out of the State of Wisconsin who are unable to attend a hearing may submit a written request by certified mail to the Tribal Secretary's Office for alternate arrangements to appear by video conference and/or to reschedule the hearing date. If alternate arrangements are unavailable, the applicant may withdraw the application up to three (3) business days prior to the hearing without penalty, and may re-apply for a pardon at any time.

126.8-3. *Failure of Applicant to Attend Hearing.* Failure of the applicant to appear at the hearing may result in the Committee postponing making a determination on the application or recommending the Oneida Business Committee deny the application.

(a) Applicants with a legitimate reason for failing to appear for a hearing shall have ten (10) calendar days from the date of the missed hearing to provide documentation to the Committee. Such documentation may include, but is not limited to; a Doctor's excuse, accident/police report, or funeral notice.

126.8-4. *Testimony and Notarized Statements*. The Committee shall obtain oral testimony at the hearing from the applicant, and any victims, witnesses or other persons supporting or opposing the pardon or forgiveness.

(a) Victims, witnesses, and other persons unavailable for a scheduled hearing may submit a notarized statement for consideration.

(b) The Committee may institute recesses and postponements as they see fit.

(c) The Committee may ask questions at any time during the hearing.

(d) The Committee may require the applicant to provide further documentation.

(1) Within five (5) business days of the hearing, the Committee shall send a written request by certified mail to the applicant for the additional documentation.

(2) The applicant shall submit the documentation to the Tribal Secretary's Office within thirty (30) calendar days after receiving the request for the documentation. Failure of the applicant to provide any of the required documentation may result in:

(A) the application being removed from consideration; or

(B) denial of the application.

126.8-5. *Deliberations and Recommendation*. After the hearing, the Committee shall go into executive session for deliberations.

(a) The Committee shall consider all information gathered from the hearing, the application, the background investigation, and any testimony or notarized statements when determining whether to recommend that the application be approved or denied.

(1) The Committee shall be responsible for weighing the appropriateness of granting a pardon or forgiveness.

(b) *Recommendation*. After considering the factors provided, the Committee shall make a decision and compose a formal, written recommendation for each application, including reasons to approve or deny the application within sixty (60) days after the pardon or forgiveness hearing. The recommendation, including any dissenting opinions issued by the Committee shall be forwarded to the Oneida Business Committee within thirty (30) calendar days after making a decision, along with the following materials for review:

(1) All information from the application and the background investigation;

(2) Any notarized statements submitted;

(3) A proposed draft resolution; and

(4) An audio recording of the hearing, upon request by an Oneida Business Committee member.

126.9. Conditions and Restrictions

126.9-1. *Pardons.* Certain convictions may affect a Tribal member's rights under state or federal law, or result in restrictions being placed on a Tribal member, regardless of whether a Tribal pardon has been granted.

(a) *Civil Rights.* A pardon by the Tribe does not guarantee the restoration of all civil rights, and each recipient of a Tribal pardon is responsible for determining whether the pardon affects any non-Tribal restrictions or limitations that may be applicable pursuant to the conviction.

(b) *Employment.* Individuals convicted of a crime that is "substantially related" to the care of another person or animal may be subject to extended or permanent restrictions on licensing or professional credentials in fields relating to such caretaking. A Tribal pardon shall not affect these restrictions.

(c) *Sex Offender Registry.* Receipt of a Tribal pardon shall in no way affect registration, tracking or other restrictions or obligations imposed upon sex offenders, including any restrictions imposed through the Nation's Safe Neighborhoods law.

(d) *Voting Rights.* Each state, and the federal government are empowered to determine whether felons may vote in elections, caucuses, referendums or any other venue dependent on the votes of citizenry. The granting of a Tribal pardon shall not supersede the rights of these jurisdictions to determine the eligibility of voters.

126.9-2. *Other Restrictions*. The Committee's written recommendation to the Oneida Business Committee to approve an applicant's request for a pardon or forgiveness may also recommend the Oneida Business Committee impose restrictions on the applicant. If the Committee does not recommend a restriction, the Oneida Business Committee shall have the authority to place restrictions on the applicant before approving the pardon or forgiveness request. Restrictions shall specify the time lines attached to them, which may expand over a period of months, years, or indefinitely.

(a) Restrictions shall be clearly defined and may include the following:

(1) The applicant is ineligible for a transfer, promotion or job reassignment.

(2) The applicant may be prohibited from:

(A) Handling cash and/or merchandise.

(B) Having Tribal property sign-off authority.

(C) Supervising staff.
(D) Supervising or caring for children or the elderly.
(E) Any other restrictions the Oneida Business Committee determines as appropriate.

(b) When restrictions are imposed for a period of greater than five (5) years, the applicant may, after five (5) years, apply to have the restrictions modified or lifted. The request to modify or lift restrictions will follow the same process required to request a pardon.

(c) The applicant shall sign a written statement describing each restriction, and time period of such restriction prior to becoming employed by the Tribe.

126.9-3. *Conditions.* The Committee may also recommend that an applicant requesting a pardon or forgiveness be required to complete conditions before the applicant is granted the pardon or forgiveness. If the Committee does not recommend a condition, the Oneida Business Committee shall have the authority to place conditions on the applicant before approving the pardon or forgiveness request.

(a) Conditions shall be clearly defined and may include the following:

(1) perform community service hours within a Tribal Department.

(2) payment of restitution to the Tribe.

(3) any other conditions the Oneida Business Committee determines as appropriate.

126.9-4. *Monitoring*. The Tribal Secretary's Office shall monitor compliance with all payment-related conditions and provide quarterly status reports to the Committee until those conditions have been fully satisfied. Monitoring payment conditions is an integral component of enforcing eligibility requirements and does not constitute a ministerial or administrative processing function of the Secretary's Office. The Secretary's Office conducts this monitoring solely to determine whether the required eligibility conditions have been met and does not exercise decision-making authority regarding eligibility determinations or the continuation of any conditional waiver.

126.10. Oneida Business Committee

126.10-1. The Oneida Business Committee shall consider all of the information received by the Committee prior to making a determination on whether to issue or deny a pardon or forgiveness application. The Oneida Business Committee may accept, reject or modify the Committee's recommendation.

126.10-2. *Deliberations*. Deliberations by the Oneida Business Committee shall take place in executive session. The Oneida Business Committee may request, by written notice, that the applicant be present during the deliberations to provide oral testimony or to answer questions. The notice shall be provided to the applicant thirty (30) days prior to the deliberations and shall contain the time, place and date of the deliberations.

126.10-3. *Final Decision*. The Oneida Business Committee shall issue or deny the pardon or forgiveness in open session, by resolution, including the reasons therefor and shall include for the record a clear indication of any decision and shall list the specific crimes to be pardoned or acts to be forgiven. This decision is final and cannot be appealed. Applicants may be eligible to re-apply for a pardon or forgiveness one (1) year from the date of the most recent denial of a pardon or forgiveness.

126.10-4. *Notification*. Notification of the final decision shall be sent to the applicant from the Tribal Secretary's office by certified mail or personally served within ten (10) business days following the decision. Applicants have a right to documentation of the final decision along with the resolution, and the reason(s) for the final decision.

126.10-5. *Resolution*. To grant or deny a pardon or forgiveness, a majority vote of the Oneida Business Committee is required.

126.10-6. *Eligibilities*. Unless otherwise directed by the Oneida Business Committee, a pardon or forgiveness may fully or partially restore some Tribal eligibilities lost as a result of a conviction or act including:

(a) employment; and/or
(b) an occupational license, certificate or permit; and/or
(c) housing; and/or
(d) other Tribal benefit.

126.10-7. *Recission for non-payment*. If an individual does not satisfy a payment condition imposed under Section 126.6-3, the OBC may rescind the pardon or forgiveness by resolution. Before rescission occurs, the individual shall receive notice and be given thirty (30) days from the date of that notice to provide proof of payment or otherwise demonstrate compliance. If the individual does not provide such proof within the thirty-day period, the OBC may proceed with rescission. Upon rescission, all prior ineligibilities are reinstated.

(a) For the purposes of this section, "individual" means a person who has been granted a conditional waiver under Section 126.6-3.

(b) Rescission is a determination of eligibility status under this Law and is not an employment action. Any employment related consequences are processed separately under applicable personnel policies.

(c) Notification of rescission shall be issued to the individual by the Secretary's Office in accordance with Section 126.10-4.

End.

Adopted – BC-2-19-93-I
Adopted – BC-11-13-93-B (Oneida Pardon Procedures Policy)
Adopted – BC-11-24-93-B (Temporary Pardons)
Adopted – BC-7-31-02-A
Adopted – BC-05-25-11-A
Adopted – BC-01-22-14-B
Emergency Adoption – BC-04-28-21-A
Emergency Extended – BC-10-27-21-A (Emergency Expired)
Amended – BC-XX-XX-XX-X

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Title 1. Government and Finances - Chapter 126
PARDON AND FORGIVENESS
Tsiʔnáhte ʌhutatwani·yóne Olihwá·ke
of what they will be free of matter

126.1. Purpose and Policy
126.2. Adoption, Amendment, Conflicts
126.3. Definitions
126.4. Pardon and Forgiveness Screening Committee Responsibilities
126.5. Tribal Secretary's Office Responsibilities
126.6. Pardon and Forgiveness Eligibility and Application
126.7. Fees
126.8. Hearings
126.9. Conditions and Restrictions
126.10. Oneida Business Committee

126.1. Purpose and Policy

126.1-1. *Purpose.*

(a) The purpose of this Law is to provide a fair, efficient and formal process by which:

(1) a Tribal member may receive a pardon for the conviction of a crime(s); or

(2) a Tribal member may receive forgiveness for acts that render him or her ineligible for housing with the Tribe or other Tribal benefits.

(3) a Tribal member or non-Tribal member may receive forgiveness for acts that render him or her ineligible for Tribal employment; an occupational license, certification or permit issued by the Tribe; housing through the Tribe; or other Tribal benefit.

(b) This Law defines the duties and responsibilities of the Oneida Pardon and Forgiveness Screening Committee, Oneida Business Committee, Oneida Tribal Secretary's Office, and other persons involved in the granting or denial of pardons and forgiveness.

126.1-2. *Policy.* It is the policy of the Oneida Tribe of Indians of Wisconsin to grant pardons or forgiveness to individuals upon demonstration of full rehabilitation, trustworthiness and/or commitment to lawful behavior. Nothing contained herein shall be construed as permitting the employment of individuals who are otherwise disqualified for employment from certain occupations under Tribal, State or Federal Law. Receipt of a pardon or forgiveness does not affect obligations imposed as part of a sentence or conviction in another jurisdiction.

In carrying out this policy, the Nation upholds and reflects the core values of The Good Mind as expressed by Onʌyoteʔa·ka, which includes:

(a) Kahletsyalúsla. The heartfelt encouragement of the best in each of us.

(b) Kanolukhwásla. Compassion, caring, identity, and joy of being.

(c) Kaʔnikuhli·yó. The openness of the good spirit and mind.

(d) Kaʔtshatstʌ́sla. The strength of belief and vision as a People.

(e) Kalihwi·yó. The use of the good words about ourselves, our Nation, and our future.

(f) Twahwahtsílayʌ. All of us are family.

(g) Yukwatsístayʌ. Our fire, our spirit within each one of us.

126.2. Adoption, Amendment, Conflicts

126.2-1. This Law was adopted by the Oneida Business Committee by Resolution BC-05-25-11-A and amended by Resolutions BC-01-22-14-B, and BC-XX-XX-XX-X.

126.2-2. This Law may be amended pursuant to the procedures set out in Tribal law by the Oneida

Business Committee or the Oneida General Tribal Council.

126.2-3. Should a provision of this Law or the application thereof to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this Law which are considered to have legal force without the invalid portions.

126.2-4. In the event of a conflict between a provision of this Law and a provision of another law, ordinance, policy, regulation, rule, resolution, or motion, the provisions of this Law shall control. Provided that, this Law repeals Resolution BC-7-31-02-A: Resolution Adopting a New Oneida Pardon Ordinance.

126.2-5. This Law is adopted under authority of the Constitution of the Oneida Tribe of Indians of Wisconsin.

126.3. Definitions

126.3-1. This section shall govern the definitions of words and phrases used within this Law. All words not defined herein shall be used in their ordinary and everyday sense.

(a) "Applicant" means an individual who is applying for a pardon or forgiveness from the Tribe.

(b) "Certified mail" means mail sent through either the United States Postal Service or the Tribal Inter-Office Certified system that provides proof of delivery and receipt.

(c) "Committee" means the Pardon and Forgiveness Screening Committee.

(d) "Conditional Waiver" means a temporary exception to the ineligibility criteria under section 126.6-2(d) for employment-related application; it does not constitute a pardon or forgiveness and does not alter, waive, or satisfy any outstanding monetary obligation.

(e) "Conditions" means a requirement or prerequisite event or activity.

(f) "Conflict of interest" means a conflict between the private interests and the official responsibilities of the committee member.

(g) "Conviction" means an individual was either found guilty or entered a plea of guilty or no contest to charges of a crime in any court of competent jurisdiction.

(h) "Court of competent jurisdiction" means any court or forum that has the power and authority to properly exercise jurisdiction over a dispute or interpret and/or enforce laws.

(i) "Crime" means any act, default, or conduct punishable as a felony or a misdemeanor.

(j) "Employment purposes" means seeking eligibility for employment with the Nation or to remove a bar to continued employment with the Nation, including positions subject to background eligibility determinations.

(k) "Forgiveness" means the formal and public act of acknowledging or excusing an individual's actions or behavior that makes him or her ineligible for Tribal employment, an occupational license, certification or permit issued by the Tribe, housing through the Tribe or other Tribal benefit

(l) "Hearing" means a public hearing, a noticed public forum in which an applicant has an opportunity to present a case for obtaining a pardon or forgiveness from the Tribe.

(m) "Individual" means a Tribal member seeking a pardon for a conviction of a crime, a Tribal member seeking forgiveness for an act(s) that makes him or her ineligible for housing with the Tribe or other Tribal benefit(s) or anyone seeking forgiveness for an act(s) that renders him or her ineligible for employment, an occupational license, certification or permit issued by the Tribe.

(n) "Family member" means a spouse, child sibling, parent, grandparent, grandchild, step-parent, step-child, in-law or legal guardian.

(o) "Outstanding penalties, fines, or other debts" means any unpaid monetary obligations owed to the Nation or arising from any Tribal, State, Federal, or Municipal court order,

judgement, stipulation, or payment requirement, including but not limited to penalties, fines, fees, repayment obligations, or court-ordered financial conditions that are due and payable.

(p) "Pardon" means the formal and public act of acknowledging or excusing a Tribal member's criminal conviction that makes him or her ineligible for Tribal employment, an occupational license, a certification or permit issued by the Tribe, housing through the Tribe, or other Tribal benefit.

(q) "Prominent locations" shall include, but not be limited to, the following: the Tribal newspaper; at least one (1) local newspaper with regular distribution within the Reservation boundaries; one (1) regional Indian newspaper; and the Tribe's official website.

(r) "Rescind" means to formally revoke, cancel, or withdraw a previously granted pardon or forgiveness through Oneida Business Committee resolution, thereby restoring all prior ineligibilities and returning the applicant to the status that existed before the pardon or forgiveness was granted.

(s) "Restriction" means a limitation or constraint imposed.

(t) "Tribal" or "Tribe" means the Oneida Tribe of Indians of Wisconsin.

(u) "Victim" means a person or entity against whom an offense, either civil or criminal, has been committed.

126.4. Pardon and Forgiveness Screening Committee Responsibilities

126.4-1. A Committee is hereby created for the purpose of carrying out the provisions of this Law.

126.4-2. *Authority.* The Committee shall:

(a) promulgate internal standard operating procedures necessary to govern its proceedings;

(b) review and process applications for a pardon or forgiveness in an orderly and expeditious manner;

(c) review an applicant's background investigation report received from the Oneida Human Resources Department;

(d) conduct and preside over hearings;

(e) provide formal, written recommendations to the Oneida Business Committee to approve or deny a pardon or forgiveness application; and

(f) take other actions reasonably related to the purpose of the Committee.

126.5. Tribal Secretary's Office Responsibilities

126.5-1. The Tribal Secretary's Office shall assist the Committee with carrying out the provisions of this Law and assist individuals in applying for a pardon or forgiveness. The Tribal Secretary's Office shall:

(a) create and implement procedures necessary to process pardon and forgiveness applications.

(b) accept pardon and forgiveness applications.

(c) submit and track requests for a background investigation.

(d) forward pardon and forgiveness applications to the Committee when the background investigations are complete.

(e) maintain a record of all pardon and forgiveness applications filed, every pardon and forgiveness request granted or denied, and the reasons for each action.

(f) maintain a complete and accurate record of all proceedings, including all correspondence, transcripts, documents, evidence, and appearances made in connection with the applications.

(g) perform other duties in connection with matters under this Law as may be requested

by the Committee.

126.6. Pardon and Forgiveness Eligibility and Application

126.6-1. *Eligibility*. A Tribal member may receive a pardon for any criminal conviction(s), or a forgiveness for an act(s) that renders the Tribal member ineligible for housing with the Tribe or other Tribal benefit(s); and any individual may receive forgiveness for an act(s) that renders the individual ineligible for Tribal employment, an occupational license, certification or permit issued by the Tribe.

(a) Upon completion of incarceration, parole, probation and/or deferred prosecution, Tribal members shall be eligible to apply for a pardon.

(b) One (1) year after an act is committed, or affirmed through the conclusion of any appeal process, an individual shall be eligible to apply for pardon or forgiveness.

126.6-2. *Ineligibility.* An individual is ineligible for a pardon or forgiveness if he or she is:

(a) being investigated for an act and if found to have committed such act, would be ineligible for the benefit he or she is seeking; or

(b) appealing a termination and the termination makes him or her ineligible for the benefit he or she is seeking; or

(c) currently incarcerated, on parole, probation, and/or under a deferred prosecution agreement; or

(d) has any outstanding penalties or fines; however, this paragraph does not apply to an application made solely for employment purposes under Section 126.1-1(a)(3) when outstanding penalties or fines are the only unmet eligibility requirement and the applicant qualifies for a conditional waiver under Section 126.6-3.

126.6-3. *Conditional Waiver*. A conditional waiver is not a pardon or forgiveness and does not waive or reduce any penalties, fines, or debts owed to the Nation or any other government. It temporarily lifts the employment-related ineligibility under Section 126.6-2(d) solely for the purpose of allowing an applicant to be considered for employment with the Nation. The conditional waiver exists only within the Committee's authority to recommend an exception to eligibility requirements; it does not authorize the Nation to negotiate, modify, or forgive financial obligations imposed by any court or governmental body.

(a) The Committee may recommend approval despite Section 126.6-2(d) only when:

(i) the application is solely for employment purposes as defined in Section 126.3-1(j);

(ii) outstanding penalties or fines are the sole basis for ineligibility; and

(iii) the applicant enters a written payment agreement with the Pardon and Forgiveness Committee requiring full payment within eighteen (18) months from the OBC resolution date. A payment agreement under this section may consist of any documentation demonstrating how the applicant will satisfy the outstanding obligation and does not require negotiation, approval, or participation from any Tribal, State, Federal, or Municipal government. The payment agreement functions solely as evidence that the applicant is actively addressing the eligibility condition and is not an agreement between the Nation and any outside jurisdiction.

(b) Any recommendation under this section shall include a mandatory condition under Section 126.9-3(a) requiring full payment within eighteen (18) months and compliance with an approved installment plan.

(c) Failure to comply with the payment agreement constitutes grounds for recission under Section 126.10-7 and immediate reinstatement of prior ineligibility.

(d) Nothing in this section authorizes the Committee to forgive, modify, reduce, or

negotiate penalties or fines imposed by any government; the waiver pertains only to employment eligibility with the Nation.

(e) *Exception for Larger Outstanding Obligations*. Notwithstanding Section 126.6-3(a)(iii) and 126.6-3(b), the Committee may recommend a conditional waiver under the following extended timeframes, based on the total amount of outstanding penalties or fines:

i. *Obligations of five thousand dollars ($5,000) or less*. The applicant may be granted up to eighteen (18) months from the OBC resolution date to satisfy the outstanding obligation, provided all other requirements of this section are met.

ii. *Obligations greater than five thousand dollars ($5,000).* The applicant may be granted up to three (3) years from the OBC resolution date to satisfy the outstanding obligation provided:

(A) the applicant submits a written payment plan demonstrating the ability to complete payment within the extended period;

(B) the Committee determines that the extended timeframe is necessary to prevent unreasonable hardship; and

(C) the applicant remains in full compliance with the approved installment plan.

(f) *Good-Cause Exception for Missed Payment*. A missed payment under an approved repayment plan may be excused upon a finding of good cause, provided that:

i. The applicant submits a written explanation within thirty (30) days of the missed payment;

ii. The Committee determines that the missed payment resulted from good cause, which may include but is not limited to unforeseen medical emergencies, loss of income, or other significant and verifiable circumstances; and

iii. The applicant resumes payment under a revised schedule approved by the Committee within thirty (30) days of the good-cause determination.

126.6-3. *Initiating an Application.* Applications for a pardon or forgiveness may be obtained from the Tribal Secretary's Office or on the Tribal website. Completed applications shall be filed with the Tribal Secretary's Office in person, during normal Tribal business hours, or sent by certified mail to the Tribal Secretary at P.O. Box 365, Oneida, WI 54155.

126.6-4. *Required Application Information.* Each applicant is responsible for submitting all required materials and authorizations.

(a) A completed pardon application shall include the following:

(1) a copy of the applicant's Tribal enrollment card.

(2) a copy or copies of any discharge papers from incarceration or jail.

(3) official verification of any successful completion date of the probation, parole or deferred prosecution.

(4) any necessary releases for investigations and/or background checks.

(5) any authorizations from a probation officer to release information.

(6) the required non-refundable fee as specified under 126.6.

(7) a personal written statement, including the reason(s) for requesting a pardon and a description and documentation of the applicant's efforts towards self-improvement.

(8) information regarding the conviction(s) for which the applicant is seeking a pardon, including:

(A) date(s) upon which the crime(s) occurred;

(B) location(s) where the crime(s) occurred;

(C) date(s) of conviction(s); and

(D) jurisdiction(s) which imposed the sentence(s).

(9) verification of attendance or successful completion of any counseling, therapy, or rehabilitative programs such as anger management or coping skills classes.

(10) letters of reference or support from people well-regarded in the community. Such letters shall detail the applicant's accomplishments or contributions to the community or attest to the applicant's rehabilitation and trustworthiness. These may include, but are not limited to:

(A) clergy or other spiritual leaders.

(B) employers and/or community members.

(C) teachers.

(D) organizers of support groups the applicant attends or has attended.

(11) any other information relevant to the applicant's conviction(s) or rehabilitation efforts.

(12) proof of payment of all penalties and fines. For application proceeding under Section 126.6-3, proof of a Committee-approved payment agreement satisfies the requirement to document outstanding penalties or fines.

(b) A completed forgiveness application shall include the following:

(1) a copy of the applicant's Tribal enrollment card, if applicable.

(2) the applicant's employment record prior to the act, if applicable.

(3) the applicant's background records.

(4) the act that triggered the applicant's ineligibility.

(5) the impact of the act on the Tribe.

(6) the length of time since the act.

(7) a written statement from the applicant demonstrating remorse for the violation.

(8) two (2) letters of recommendation, with no more than one (1) recommendation coming from a person who is a family member of the applicant.

(9) the required non-refundable fee as specified under 126.6.

(10) any additional credible and relevant information.

(11) proof of payment of all penalties and fines. For application proceeding under Section 126.6-3, proof of a Committee-approved payment agreement satisfies the requirement to document outstanding penalties or fines.

126.6-5. Failure of the applicant to provide a complete application, or any of the required information and/or materials may result in:

(a) the application being returned with a request for more information; or

(b) the application being removed from consideration; or

(c) denial of a pardon or forgiveness.

126.6-6. *Applicant Misrepresentations.* Any applicant who misrepresents, omits, or falsifies any information on the application or during the pardon process shall be denied a pardon. If a pardon is granted and it is later determined that there is misrepresented or false information, or pertinent information was purposefully omitted, the Oneida Business Committee shall have the right to rescind the pardon.

126.7. Fees

126.7-1. Each application shall be accompanied by a non-refundable fee as set by the Oneida Business Committee in a resolution. Said payment shall be made payable to the Oneida Tribe in the form of a:

(a) money order; or

(b) cashier's check; or

(c) intra-tribal purchase document, if a Tribal department or program, such as Social Services, will be providing the funds for the application fee.

126.8. Hearings

126.8-1. *Notice of the Hearing*. The Committee shall conduct quarterly hearings and provide official notice to the applicant by certified mail, including the date, time and location of the hearing, at least thirty (30) calendar days prior to the hearing. Notice shall also be posted in prominent locations at least thirty (30) calendar days prior to the hearing. If alternate arrangements have been made under 126.8-2, notice shall be posted in prominent locations with as much advance notice as possible and as time permits.

(a) Notice of the hearings scheduled for the year shall be posted on the Tribal website and periodically in the Tribal newspaper.

(b) Hearings shall take place at a regularly scheduled time and location to be determined by the Committee and shall be open to the public.

126.8-2. *Alternate Hearing Arrangements*. Applicants who reside out of the State of Wisconsin who are unable to attend a hearing may submit a written request by certified mail to the Tribal Secretary's Office for alternate arrangements to appear by video conference and/or to reschedule the hearing date. If alternate arrangements are unavailable, the applicant may withdraw the application up to three (3) business days prior to the hearing without penalty, and may re-apply for a pardon at any time.

126.8-3. *Failure of Applicant to Attend Hearing.* Failure of the applicant to appear at the hearing may result in the Committee postponing making a determination on the application or recommending the Oneida Business Committee deny the application.

(a) Applicants with a legitimate reason for failing to appear for a hearing shall have ten (10) calendar days from the date of the missed hearing to provide documentation to the Committee. Such documentation may include, but is not limited to; a Doctor's excuse, accident/police report, or funeral notice.

126.8-4. *Testimony and Notarized Statements*. The Committee shall obtain oral testimony at the hearing from the applicant, and any victims, witnesses or other persons supporting or opposing the pardon or forgiveness.

(a) Victims, witnesses, and other persons unavailable for a scheduled hearing may submit a notarized statement for consideration.

(b) The Committee may institute recesses and postponements as they see fit.

(c) The Committee may ask questions at any time during the hearing.

(d) The Committee may require the applicant to provide further documentation.

(1) Within five (5) business days of the hearing, the Committee shall send a written request by certified mail to the applicant for the additional documentation.

(2) The applicant shall submit the documentation to the Tribal Secretary's Office within thirty (30) calendar days after receiving the request for the documentation. Failure of the applicant to provide any of the required documentation may result in:

(A) the application being removed from consideration; or

(B) denial of the application.

126.8-5. *Deliberations and Recommendation*. After the hearing, the Committee shall go into executive session for deliberations.

(a) The Committee shall consider all information gathered from the hearing, the application, the background investigation, and any testimony or notarized statements when determining whether to recommend that the application be approved or denied.

(1) The Committee shall be responsible for weighing the appropriateness of

granting a pardon or forgiveness.

(b) *Recommendation*. After considering the factors provided, the Committee shall make a decision and compose a formal, written recommendation for each application, including reasons to approve or deny the application within sixty (60) days after the pardon or forgiveness hearing. The recommendation, including any dissenting opinions issued by the Committee shall be forwarded to the Oneida Business Committee within thirty (30) calendar days after making a decision, along with the following materials for review:

(1) All information from the application and the background investigation;

(2) Any notarized statements submitted;

(3) A proposed draft resolution; and

(4) An audio recording of the hearing, upon request by an Oneida Business Committee member.

126.9. Conditions and Restrictions

126.9-1. *Pardons.* Certain convictions may affect a Tribal member's rights under state or federal law, or result in restrictions being placed on a Tribal member, regardless of whether a Tribal pardon has been granted.

(a) *Civil Rights.* A pardon by the Tribe does not guarantee the restoration of all civil rights, and each recipient of a Tribal pardon is responsible for determining whether the pardon affects any non-Tribal restrictions or limitations that may be applicable pursuant to the conviction.

(b) *Employment.* Individuals convicted of a crime that is "substantially related" to the care of another person or animal may be subject to extended or permanent restrictions on licensing or professional credentials in fields relating to such caretaking. A Tribal pardon shall not affect these restrictions.

(c) *Sex Offender Registry.* Receipt of a Tribal pardon shall in no way affect registration, tracking or other restrictions or obligations imposed upon sex offenders, including any restrictions imposed through the Nation's Safe Neighborhoods law.

(d) *Voting Rights.* Each state, and the federal government are empowered to determine whether felons may vote in elections, caucuses, referendums or any other venue dependent on the votes of citizenry. The granting of a Tribal pardon shall not supersede the rights of these jurisdictions to determine the eligibility of voters.

126.9-2. *Other Restrictions*. The Committee's written recommendation to the Oneida Business Committee to approve an applicant's request for a pardon or forgiveness may also recommend the Oneida Business Committee impose restrictions on the applicant. If the Committee does not recommend a restriction, the Oneida Business Committee shall have the authority to place restrictions on the applicant before approving the pardon or forgiveness request. Restrictions shall specify the time lines attached to them, which may expand over a period of months, years, or indefinitely.

(a) Restrictions shall be clearly defined and may include the following:

(1) The applicant is ineligible for a transfer, promotion or job reassignment.

(2) The applicant may be prohibited from:

(A) Handling cash and/or merchandise.

(B) Having Tribal property sign-off authority.

(C) Supervising staff.

(D) Supervising or caring for children or the elderly.

(E) Any other restrictions the Oneida Business Committee determines as appropriate.

(b) When restrictions are imposed for a period of greater than five (5) years, the applicant may, after five (5) years, apply to have the restrictions modified or lifted. The request to modify or lift restrictions will follow the same process required to request a pardon.

(c) The applicant shall sign a written statement describing each restriction, and time period of such restriction prior to becoming employed by the Tribe.

126.9-3. *Conditions.* The Committee may also recommend that an applicant requesting a pardon or forgiveness be required to complete conditions before the applicant is granted the pardon or forgiveness. If the Committee does not recommend a condition, the Oneida Business Committee shall have the authority to place conditions on the applicant before approving the pardon or forgiveness request.

(a) Conditions shall be clearly defined and may include the following:

(1) perform community service hours within a Tribal Department.

(2) payment of restitution to the Tribe.

(3) any other conditions the Oneida Business Committee determines as appropriate.

126.9-4. *Monitoring*. The Tribal Secretary's Office shall monitor compliance with all payment-related conditions and provide quarterly status reports to the Committee until those conditions have been fully satisfied. Monitoring payment conditions is an integral component of enforcing eligibility requirements and does not constitute a ministerial or administrative processing function of the Secretary's Office. The Secretary's Office conducts this monitoring solely to determine whether the required eligibility conditions have been met and does not exercise decision-making authority regarding eligibility determinations or the continuation of any conditional waiver.

126.10. Oneida Business Committee

126.10-1. The Oneida Business Committee shall consider all of the information received by the Committee prior to making a determination on whether to issue or deny a pardon or forgiveness application. The Oneida Business Committee may accept, reject or modify the Committee's recommendation.

126.10-2. *Deliberations*. Deliberations by the Oneida Business Committee shall take place in executive session. The Oneida Business Committee may request, by written notice, that the applicant be present during the deliberations to provide oral testimony or to answer questions. The notice shall be provided to the applicant thirty (30) days prior to the deliberations and shall contain the time, place and date of the deliberations.

126.10-3. *Final Decision*. The Oneida Business Committee shall issue or deny the pardon or forgiveness in open session, by resolution, including the reasons therefor and shall include for the record a clear indication of any decision and shall list the specific crimes to be pardoned or acts to be forgiven. This decision is final and cannot be appealed. Applicants may be eligible to re-apply for a pardon or forgiveness one (1) year from the date of the most recent denial of a pardon or forgiveness.

126.10-4. *Notification*. Notification of the final decision shall be sent to the applicant from the Tribal Secretary's office by certified mail or personally served within ten (10) business days following the decision. Applicants have a right to documentation of the final decision along with the resolution, and the reason(s) for the final decision.

126.10-5. *Resolution*. To grant or deny a pardon or forgiveness, a majority vote of the Oneida Business Committee is required.

126.10-6. *Eligibilities*. Unless otherwise directed by the Oneida Business Committee, a pardon or forgiveness may fully or partially restore some Tribal eligibilities lost as a result of a conviction

or act including:

(a) employment; and/or

(b) an occupational license, certificate or permit; and/or

(c) housing; and/or

(d) other Tribal benefit.

126.10-7. *Recission for non-payment*. If an individual does not satisfy a payment condition imposed under Section 126.6-3, the OBC may rescind the pardon or forgiveness by resolution. Before rescission occurs, the individual shall receive notice and be given thirty (30) days from the date of that notice to provide proof of payment or otherwise demonstrate compliance. If the individual does not provide such proof within the thirty-day period, the OBC may proceed with rescission. Upon rescission, all prior ineligibilities are reinstated.

(a) For the purposes of this section, "individual" means a person who has been granted a conditional waiver under Section 126.6-3.

(b) Rescission is a determination of eligibility status under this Law and is not an employment action. Any employment related consequences are processed separately under applicable personnel policies.

(c) Notification of rescission shall be issued to the individual by the Secretary's Office in accordance with Section 126.10-4.

End.

Adopted – BC-2-19-93-I
Adopted – BC-11-13-93-B (Oneida Pardon Procedures Policy)
Adopted – BC-11-24-93-B (Temporary Pardons)
Adopted – BC-7-31-02-A
Adopted – BC-05-25-11-A
Adopted – BC-01-22-14-B
Emergency Adoption – BC-04-28-21-A
Emergency Extended – BC-10-27-21-A (Emergency Expired)
Amended – BC-XX-XX-XX-X

Oneida Nation
Oneida Business Committee
Legislative Operating Committee
PO Box 365 • Oneida, WI 54155-0365
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Legislative Operating Committee
March 18, 2026

Recycling and Solid Waste Disposal Law Amendments

Submission Date: 11/12/18	**Public Meeting:** 2/12/26
LOC Sponsors: Jonas Hill, Kirby Metoxen	**Emergency Enacted:** N/A

Summary: *This item was carried over from the last two (2) terms. In November 2018, the Environmental, Health, Safety and Land Division requested that amendments be made to the Recycling and Solid Waste Disposal law to address current matters such as curbside recycling, illegal dumping, due process, and enforcement.*

10/4/23 LOC: Motion by Jennifer Webster to add the Recycling and Solid Waste Disposal Law Amendments to the Active Files List with Kirby Metoxen and Jonas Hill as the sponsors; seconded by Jonas Hill. Motion carried unanimously.

08/12/24: *Work Meeting.* Present: Jennifer Webster, Kirby Metoxen, Marlon Skenandore, Jameson Wilson, Carolyn Salutz, Fawn Billie, Maureen Perkins, Ronald Vanschyndel, Shannon Stone, Eric McLester, Mark Powless, Eric Boulanger. The purpose of this work meeting was to pick up reviewing potential amendments since the last time the LRO worked on this (June 2024). We were able to review the entire law, but Carolyn will need to schedule another work meeting with just the LOC to review the old drafts and the work that has been done.

The meeting discussed: EHSLD's name is soon changing to Environmental Land and Agriculture, DPW and zoning enforce some provisions of this law, law should allow investigations without the need to get a warrant (when they get a call for possible violation and need to immediately investigate), waste streams are still a huge issue, there needs to be a distinction between minor violations and major dumping (something that could be handled in a fine and penalty schedule), a fine and penalty schedule has never been presented to the BC for adoption through resolution, illegal dumping is still a big concern, the right to cure should be first a notice, no collection, then a fine, trash at parks is an issue often because dumpsters aren't possible, deer carcasses aren't a huge issue, special dumpsters are put out during hunting season, if carcasses become an issue zoning will issue a citation, don't really need a separate section of the law for deer carcasses (something that could be put under "Prohibitions"), "Burning and Demolition Projects" doesn't really need its own section, this comes up when construction projects need to recycle, more of a zoning issue, if needed can be handled by Disposition law (Disposition of Excess Tribal Property), sometimes enforcement occurs outside Reservation, not always applicable to say "within exterior boundaries of the Reservation", might need to work with

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Intergovernmental Affairs to sort out how enforcement should be conducted, people that violate this law (illegal dumping is main concern) can only really be cited for trespass, or given a fine under Public Use of Tribal Lands citation schedule.

Maybe violations, citations, fines (enforcement provisions) could be included in the law instead of the law directing EHSLD to develop a fine and penalty schedule.

08/22/24: *Work Meeting.* Present: Jonas Hill, Marlon Skenandore, Jameson Wilson, Fawn Billie, Fawn Cottrell, Maureen Perkins, Carolyn Salutz, Shannon Stone, Ronald Vanschyndel, Bridget John, Eric McLester, Nicole Rommel, Victoria Flowers. The purpose of this work meeting was for representatives from DPW and the Environmental Division to provide their comments and input on potential amendments. Shannon Stone led the meeting. Shannon started a line-by-line review, ending at Section 405.6, Collection and Disposal of Recyclable Materials. Most of the conversation focused on policy, definitions, enforcement, implementation, and policy.

08/23/24: *Work Meeting.* Present: Shannon Stone and Carolyn Salutz. The purpose of this work meeting was to review Carolyn's notes, for Shannon to answer follow-up questions, and make sure Carolyn is clear on requested edits so far.

09/05/24: *Work Meeting.* Present: Jameson Wilson, Marlon Skenandore, Fawn Cottrell, Maureen Perkins, Carolyn Salutz, Shannon Stone, Ronald Vanschyndel, Bridget John, Victoria Flowers. The purpose of this work meeting was to finish reviewing the law line by line from where the last work meeting ended, section 405.6. We did get through the entire law, now drafting attorney will summarize notes, start making edits, and schedule the next work meeting.

10/24/24: *Work Meeting.* Present: Shannon Stone, Ronald Vanschyndel, Eric McLester, Victoria Flowers, Jameson Wilson, Jonas Hill, Marlon Skenandore, Maureen Perkins, Kristal Hill, Clorissa Leeman, Carolyn Salutz. The purpose of this meeting was to review the current draft. We got through section 405.6 and should probably pick up the next review at line 248, section 405.7, Collection and Disposal of Solid Waste. One major issue that was brought up was the fact we don't really have ability to enforce recycling and it could just be removed from the law. Another major issue was the fine and penalty schedule; at the 9/5 work meeting it was discussed that it could be included right in the law; Clorissa said it should actually probably not go in the law and instead the law should delegate rule making authority and a fine and penalty schedule should be developed by the involved departments.

12/4/24: *Work Meeting*. Present: Jonas Hill, Jameson Wilson, Jennifer Webster, Kirby Metoxen, Marlon Skenandore, Fawn Cottrell, Kristal Hill, Clorissa Leeman, Grace Elliott, Carolyn Salutz. The purpose of this work meeting was to review the draft of a combined recycling and solid waste into just solid waste and get LOC consensus on the combination. LOC agreed to move forward with combing.

1/28/25: *Work Meeting.* Present: Shannon Stone, Ronald Vanschyndel, Eric McLester, Bridget John, Jameson Wilson, Jonas Hill, Marlon Skenandore, Jennifer Webster, Kirby Metoxen, Maureen Perkins, Kristal Hill, Carolyn Salutz. The purpose of this work meeting was to review the newest amendments. We did a line-by-line of the entire law; skipping some sections that had no edits, but mostly the entire draft. We spent most of the time discussing animal carcasses. How they are handled seems to be through service agreements/MOUs/MOAs between the counties, DNR, DOT. This is still an issue we need to pick apart. The other issue to more strongly address is illegal dumping, trespassing, non-collections, and commercial properties. Consensus was that current draft too strongly identified issues with residential collections and illegal dumping. Non-collection at commercial properties was still a concern.

3/5/25: *Work Session*. Present: Jameson Wilson, Jonas Hill, Kirby Metoxen, Jennifer Webster, Kristal Hill, Fawn Cottrell, Fawn Billie, Clorissa Leeman. Grace Elliott, Carolyn Salutz. The purpose of this work meeting was to review animal carcass/roadkill provisions. LOC decided they do not want provisions that require someone to take a large animal to the dump. LOC is okay leaving roadkill provisions as responsibility of State/County/municipality as handled through service agreements/MOAs. Jonas did mention he would like more information on how it is handled by State/County/municipality.

3/31/25: *Work Meeting*. Present: Shannon Stone, Victoria Flowers, Eric McLester, Nicole Rommel, Bridget John, Jameson Wilson, Jonas Hill, Kristal Hill, Fawn Cottrell, Carolyn Salutz. The purpose of this work meeting is to review the newest amendments. Because we are so close to finalizing amendments Carolyn suggested we do an entire read-through. A few comments and suggestions came up, mostly regarding definitions and making sure some sections are clear (like if we need to say and define "illegal" dumping vs. dumping, and definition of "reservation" and referencing service agreements for roadkill) – suggestions that can easily be addressed by the LOC – the LOC is ready to review and approve the draft and send it to public meeting.

4/21/25: *Work Meeting*. Present: Ronald Vanschyndel, Jonas Hill, Kirby Metoxen, Kristal Hill, Carolyn Salutz. The purpose of this meeting was for Ron to share his insights and experiences related to how we are amending the law; things he believes we need to consider and hasn't been able to share in the larger work meetings. Some topics included: we do need regulations on recycling (maybe a separate law but it is still needed), how to manage goods from "cradle to grave," how we can ensure purchasing is aware of waste handling when they purchase. These suggestions might totally change the draft, Carolyn will need to review suggestions, review the documents Ron provided, and come up with some options for the LOC. We may need to make more changes and hold more work meetings.

7/7/25: *Work Meeting*. Present: Ronald Vanschyndel, Jonas Hill, Kristal Hill, Jennifer Webster, Marlon Skenandore. The purpose of this work meeting was to discuss why it is important to keep "recycling" in "recycling and solid waste." The LOC members present decided to keep it.

9/12/25: *Work Meeting*. Present: Ronald Van Schyndel, Eric McLester, Nicole Rommel, Victoria Flowers, Shannon Stone, Jennifer Webster, Kirby Metoxen, Fawn Billie, Fawn Cottrell, Rhiannon Metoxen, Carolyn Salutz. The purpose of this work meeting was to update the group on the LOC's decision to keep recycling. The group, Victoria Flowers, especially was opposed to keeping it. Ultimately, Jenny and Kirby made the policy decision on behalf of the LOC to remove it. The other point mentioned was that now the RCRA, Resource Conservation and Recovery Act, is mentioned. It is okay to mention the entire act and not just the specific sections that apply.

10/16/25: *Work Meeting*. Present: Ronald Van Schyndel, Eric McLester, Victoria Flowers, Shannon Stone, Bridget John, Jameson Wilson, Jonas Hill, Kirby Metoxen, Jennifer Webster, Fawn Cottrell, Carolyn Salutz. The purpose of this meeting was to review two changes Carolyn made and then to do a read-through to approve a final draft. Group did a read through and did approve the final draft.

11/5/25 LOC: Motion by Jonas Hill to approve the draft of the Recycling and Solid Waste Disposal Law Amendments and direct the Legislative Reference Office to complete a Legislative Analysis; seconded by Kirby Metoxen. Motion carried unanimously.

12/17/25 LOC: Motion by Marlon Skenandore to accept the Legislative Analysis, approve the public meeting packet, and schedule a public meeting for the proposed Recycling and Solid

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Waste Disposal Law Amendments to be held on February 12, 2026; seconded by Jonas Hill. Motion carried unanimously.

2/12/26: *Public Meeting Held*. One (1) individual provided oral comments during the public meeting.

2/19/26: *Public Comment Period Closed*. No individuals provided written comments during the public comment period.

3/4/26 LOC: Motion by Jennifer Webster to accept the public comments and the public comment review memorandum and defer to a work meeting for further consideration; seconded by Jonas Hill. Motion carried unanimously.

3/4/26: *Work Session*. Present: Kirby Metoxen, Jennifer Webster, Jameson Wilson, Jonas Hill, Clorissa Leeman, Grace Elliott, Fawn Billie, Fawn Cottrell, Rhiannon Metoxen, Kristal Hill. The purpose of this work meeting was to review and consider the public comment and public comment review memorandum.

Next Steps:

- Accept the public comment memorandum with the LOC consideration, draft, legislative analysis, and fiscal impact statement request memorandum.

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Legislative Operating Committee
Legislative Reference Office
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TO:	Legislative Operating Committee (LOC)
FROM:	Carolyn Salutz, Legislative Reference Office, Staff Attorney
DATE:	March 18, 2026
RE:	Recycling and Solid Waste Disposal Law Amendments: Public Comment Review

On February 12, 2026, a public meeting was held regarding the proposed amendments to the Recycling and Solid Waste Disposal law. One (1) comment was made during the public meeting. The public comment period was then held open until February 19, 2026. No written comments were submitted during the comment period. This memorandum is submitted as a review of the comment received during the public meeting. The public meeting draft and public meeting transcript received are attached to this memorandum for review.

Comment 1 – Authority and Enforcement and General Concerns

405.5 Authority

405.5-1. DPW and ELA shall be delegated the authority to administer the provisions of this law, which shall include, but not be limited to:

(a) overseeing the implementation and enforcement of this law and the SMMP, including the authority to delegate certain of those duties to other agencies of the Nation or to third-party service providers for implementation;

(b) following the Nation's RFP process for the procurement of third-party service providers;

(1) all third-party service providers shall be State licensed solid waste transporters.

(c) developing and amending the SMMP to be consistent with this law and at least once every five years and subject to approval by the Oneida Business Committee through resolution;

(d) developing a fine and penalty schedule, subject to approval by the Oneida Business Committee through resolution;

(e) DPW, ELA, and the service provider shall take reasonable measures to ensure that the public is aware and informed of the requirements of this law and the SMMP which may include sending new customers collection requirements, notifying the public through publication and making information available to the public for inspection at the offices of DPW or ELA during normal business hours.

(1) Any person in doubt as to the proper preparation, handling, and disposal of any type of solid waste should contact DPW, ELA, or the service provider for instruction.

(f) conducting inspections, as well as investigating complaints, to ensure that solid waste is managed in accordance with this law and the SMMP;

(1) no person may refuse access to any person authorized in this section who requests access for purposes of inspecting an alleged violation based on probable cause and who presents appropriate credentials;

(g) determining if the storage or disposal of solid waste has created a nuisance;

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(h) issuing a citation to persons found in violation of this law in an amount set forth in the fine and penalty schedule adopted by resolution of the Oneida Business Committee and pursuant to the Nation's Citation Law;

(1) each day of a continuing violation may be charged as a separate violation and the officer may issue a separate citation;

(i) making referrals to the Oneida Police Department, the Oneida Conservation Department, or the Zoning Department, when deemed necessary, for further investigation or enforcement consistent with this law.

(j) notifying all customers of the Nation of the terms and conditions for collection; and

(k) making reasonable rules for the regulation and administration of this law as may be necessary for the proper storage, collection, removal, and disposal of solid waste within the Reservation.

405.5-2. The Oneida Police Department shall be delegated the authority to enforce the provisions of this law, which shall include, but not be limited to:

(a) investigate complaints and referrals from DPW or ELA for suspected violations of this law;

(b) obtain a search warrant and conduct inspections if necessary to enforce the provisions of this law;

(1) No person may refuse access to any person authorized in this section who requests access for purposes of inspecting an alleged violation based on probable cause and who presents appropriate credentials; and

(c) issue citations consistent with the fine and penalty schedule developed by DPW and ELA and approved by the Oneida Business Committee;

(1) each day of a continuing violation may be charged as a separate violation and the officer may issue a separate citation.

Nancy Barton (oral): "OK. Thank you. So, you know in here again we're talking about clarification and clarifying the definitions of customers, major appliances, what the word reservation means.

You know, I've said it before in open session at the Business Committee. It feels like we're starting from the beginning. You have people who are hired in positions, highly paid individuals who are supposed to be enforcing all of these rules on this reservation regarding all of these issues, I have given the addresses to the individuals that are in charge of, you know, this solid waste disposal will, you know, law that we're talking about and nothing has been done.

I have monitored Jonas Circle, the corner of Fish Creek and and Freedom Road and also Freedom Road and how unfortunate that we have allowed this reservation to deteriorate into the condition that it is and we should be ashamed of ourselves and those people who we pay to enforce that, you know, there's some serious issues there. I did have an I did talk to DPW, the manager there.

And him, his comment to me was I had to wait until the person that's in charge of all of that retires until all of this could be enforced. And how unfortunate all of that is. You know, it says that they're going to classify the division of public works and environmental land and agriculture.

Has the authority, including informing the public of certain requirements. I'm sure we're all well aware of, you know, disposing of junk cars. There is a dump on Hwy. 54 where I believe it's 17 or $19.00 to. Dump a load of of garbage. And so, you know, I've slowly watched this reservations aesthetics, the appearance of it slowly deteriorate and when we're paying people to enforce laws on here it says somewhere, and I don't know exactly where 'cause I it oh, I do have it.

On page 4. It's talking about making referrals to the Oneida Police Department, the Oneida Conservation Department, or the Zoning Department when deemed necessary, and you can refer. All kinds of things to all kinds of people. But what is the enforcement and what are the consequences? Because you know, you can send the cops over there and the cops can tell you you need to get all of that junk out of your yard. But if you don't, what are they going to do to you?

So, this is kind of frustrating, you know, making responsible rules and regulations for proper storage, collection and removal. You would think by now, you know, we'd be beyond all of that. How unfortunate. You know, I do know that you know in the past and I'm not sure who paid for it, but you there were like a tribal clean up and you could pull into DPW with tires and all of your household stuff and there were semis there that you could dump the stuff off and then.

The tribe would pay to have it removed off this reservation. And there was one incident. Somebody stumbled, somebody fell, somebody got hurt and the whole thing got shut down. And then there was one where there were dumpsters put out at the parish hall, I believe in the housing projects. And I'm not sure where else, cause I was only aware of the one at the parish hall and that thing was filled up day and night for weeks. And I think, you know, if that's what we need to do on this reservation to clean up what's going on, then we need to do that.

And you need to put it in the budget because what's going on is absolutely unacceptable as far as I'm concerned about the condition of our reservation. Yesterday I shared with the business committee that I had the opportunity to do a lot of traveling to a lot of reservations and there are poor reservations, people that live in severe poverty and their reservations don't look like what's going on here. So how unfortunate. Thank you for listening to me."

Response

The commenter expressed concerns with the enforcement of this law and the effects a lack of enforcement may have on the cleanliness and optics of property on the reservation.

The Law sets the parameters for acceptable behaviors and consequences for unacceptable behaviors.

These amendments to the Law address various delegations of authority and clarify the responsibilities and authorities of the Nation's Department of Public Works ("DPW"), Environmental Land and Agriculture Division ("ELA"), and the Oneida Police Department ("OPD"). *[4 O.C. 405.5]*.

The amendments give broad responsibilities and authorities to DPW and ELA because those are the two (2) areas of the Nation best equipped to handle solid waste management within the

Reservation. DPW and ELA are given the authority to delegate additional responsibilities to the Oneida Conservation Department, the Zoning Department, and OPD for further investigation and enforcement of this law. *[4 O.C. 405.5-1(i)]*.

Regarding the enforcement of this Law, the amendments provide that DPW and ELA will create a fine and penalty schedule to charge anyone found to be in violation of this law with a fine or a penalty. *[4 O.C. 405.5-1(d)]*. DPW and ELA are also given authority to issue a citation to any person found in violation of this law with a citation pursuant to the Nation's Citation Law – and any day of a continuing violation can be charged again. *[4 O.C. 405.5-1(h)]*. Meaning, any person cited for a violation of this law can be charged on consecutive days until that person fixes the violation.

These amendments also make sure OPD has the authority to investigate complaints and referrals, obtain search warrants, and issue citations. OPD is the department best suited to obtaining and executing search warrants for suspected violations of the law. *[4 O.C. 405.5-2]*.

In addition to the enforcement provisions of this law, other laws of the Nation regulate littering, unsightly areas, nuisances, and public health and safety. The Nation's Zoning and Shoreland Protection Law addresses public nuisances, which it defines as ". . . a thing, act, occupation, condition, or use of property which continues for such length of time as to: (1) Substantially annoy, injure, or endanger the comfort, health, repose, or safety of the public; or (2) In any way render the public insecure in life or in the use of property; or (3) Greatly offend the public morals or decency; or (4) Unlawfully and substantially interfere with, obstruct, or tend to obstruct or render dangerous for passage any street, alley, highway, navigable waters or other public way, or the use of public property." *[6 O.C. 605.3-1(iiiii)]*. The Zoning and Shoreland Protection Law also gives authority to the Nation to issue fines for violation of the Law. *[6 O.C. 605.14-5]*. The Law also authorizes the Nation's Land Commission to terminate a lease or to allow the lease to continue subject to certain conditions. *[6 O.C. 605.14-5]*.

The Nation's Public Peace Law defines "[l]itter" to mean ". . . all rubbish, waste materials refuse, garbage, trash debris, or other foreign substances, solid, liquid, or every form, size, and kind." *[3 O.C. 309.3-1(m)]*. The Public Peace Law also defines and enforces Civil Infractions Affecting Health and Safety, including Littering *[3 O.C. 309.10-1]*; Unsightly Areas *[3 O.C. 309.10-2]*; and Depositing Human Waste *[3 O.C. 309.10-3]*. If an individual violates the Public Peace Law they may receive a citation, be ordered to pay a fine, be ordered to perform community service, be ordered to participate in counseling, or be ordered to pay restitution. *[3 O.C. 309.11]*.

Together, the Nation's Zoning and Shoreland Protection Law, Public Peace Law, and Recycling and Solid Waste Disposal Law, help enforce the management and protection of the reservation's condition.

Regarding the amendments to the Recycling and Solid Waste Disposal Law, it is the purpose and policy of those amendments to "reduce, manage, and dispose of recyclable materials and solid waste within the jurisdictional boundaries of the Nation. *[4 O.C. 405.1-1]*. It is the Nation's policy to ". . . protect the health, safety, and welfare of the community by prohibiting methods of solid waste disposal that could have an adverse impact on members of the community or the

environment and by implementing a solid waste management program that emphasizes reducing, reusing, and recycling the majority of waste within the Reservation. *[4 O.C. 405.1-2]*.

Any concerns regarding special collections are best addressed to DPW directly. The Law does not specify when and where and the kinds of solid wastes DPW will collect during a special collection – that is an internal process that is best internally managed by DPW. It is better to allow DPW the flexibility to hold special collections when deemed necessary rather than establish a requirement for specific special collections in the Law. *[4 O.C. 405.6-7]*. Laws are static – allowing DPW to manage special collections – as needed – is more effective.

Finally, concerns regarding the condition of the Reservation as they exist today cannot be further addressed in the Law. Any concerns regarding the implementation of this law are best directed to the Departments or Divisions responsible for solid waste management within the Reservation.

Due to the fact that the proposed amendments to the Law address enforcement and implementation, there is no recommended revision to the proposed amendments to the Law based on this comment.

LOC Consideration

The LOC acknowledges all concerns and does agree with most of the commenter's concerns regarding enforcement and implementation. Because the LOC acknowledges and agrees with most of the commenter's concerns regarding enforcement and implementation, the LOC decided to amend the Recycling and Solid Waste Disposal Law to ensure the management of recycling and solid waste within the jurisdictional boundaries of the Nation is addressed by the Nation's Department of Public Works, Environmental Land and Agriculture Division, the Oneida Police Department, the Nation's Zoning Department, and the Nation's Conservation Department. The LOC is confident the proposed amendments sufficiently address solid waste management, including enforcement. In addition, the LOC is confident the Nation has existing laws and enforcement mechanisms to guide the management and enforcement of the conditions of properties in the Reservation and the Reservation as a whole.

Even though the LOC decided not to make changes to the proposed amendments based on this comment, the LOC appreciates public input and participation in the legislative process.

Title 4. Environment and Natural Resources - Chapter 405

~~RECYCLING AND SOLID WASTE DISPOSAL~~

Tsi? Tetwatlahtste Kahle Tsi? Yeyakotyehtákhwa?

where the things are used over and where the garbage is kept

SOLID WASTE DISPOSAL

405.1 Purpose and Policy
405.2 Adoption and Amendment
405.3 DefinitionsEffective Date
405.4 ApplicationDefinitions
405.5 AuthorityRecycling Applicability and Prohibitions
405.6 Collection and Disposal of Solid Waste
405.7 Non-collectable Solid Waste
405.8 Non-residential facilities and Properties and Multi-family Dwellings
405.9 Prohibitions
405.10 Right to Refuse Collection

405.6 Management of Separated Recyclable Materials
405.7 Responsibilities and Disposal
405.8 Prohibition on Disposal of Recyclable Materials Separated for Recycling
405.9 Non-Collectable Materials
405.10 Right to Reject Materials
405.11 Solid Waste
405.12 Enforcement
405.13 Administration and Interpretation

405.1. Purpose and Policy

405.1-1. *Purpose.* The purpose of this law is to set forthpromote the process by whichhealth, safety and welfare of residents and members of the Oneida Nation will reduce, manage, and dispose through the establishment of standards necessary to the sanitary and environmentally sound disposal of recyclable materials and solid waste within the jurisdictional boundaries of the Nation. .

405.1-2. *Policy.* It is the policy of the Nation to protect the health, safety, and welfare of the community by prohibitingThe Oneida Nation recognizes that unsanitary, inefficient and inappropriate methods of solid waste disposal that couldDisposing of recyclable materials have an adverse impact on members of the community or the environment and by implementing a solid waste management programthe natural resources of the Oneida Nation and its residents, and that emphasizes reducing, reusing, andthe promulgation of standards of recycling are in the best interests of the Oneida Nation of Wisconsin.

405.1-3. Scope: This ordinance shall apply to all lands owned by the majority of wasteOneida Tribe or its members, whether in fee or trust status, all other lands within the borders of the Oneida Reservation, and all persons residing within said borders.

405.2. Adoption and Amendment

405.2-1. This law wasis adopted pursuant to the inherent authority of the Oneida Nation of Wisconsin to promulgate such regulations as are deemed necessary to promote the health, safety and welfare of the Oneida Nation, its members and its residents.

405.2-2.This law may be amended as necessary and according to approved procedures by the Oneida Business Committee by resolution BC-12-14-94-A and amended by resolutions BC-2-15-95-K, BC-11-9-98-A and BC-__-__-__-__. .

405.2-2. This law may be amended or repealed by the3. The Oneida Business Committee or General Tribal Council pursuant to the procedures set out in the Legislative Procedures Act.

405.2-3. Should a provision ofmay delegate appropriate agencies the power to create any regulations needed to fully implement this law or the application thereof to any person or circumstances be held as invalid, such invalidity shall not affect other .

~~405.3. Effective Date~~

~~405.3-1. The~~ provisions of this law which are considered to have legal force without the invalid portions.

405.2-4. In the ~~ordinance shall take effect upon adoption by the Oneida Business Committee, in no~~ event ~~later than January 1, 1995.~~

~~405.4. Definitions~~

~~(a) "Bi-metal container" means a container for carbonated or malt beverages that is made primarily~~ of a conflict between a provision~~combination~~ of this law~~steel~~ and a provision~~aluminum.~~

~~(b) "Container Board" means corrugated paperboard used in the manufacture~~ of another law, the provisions~~shipping containers and related products.~~

~~(c) "Foam polystyrene packaging" means packaging made from foam polystyrene that satisfies one or more~~ of this law shall control. ~~the following criteria:~~

405.2-5. This law was adopted under the authority of the Constitution of the Oneida Nation.

405.3. Definitions

405.3-1. This section shall govern the definitions of words and phrases used within this law. All words not defined herein shall be used in their ordinary and everyday sense.

(a) "Customer" means all residential and commercial properties within the Reservation who use the Nation's service provider and dumpsters and bins, authorized by the Nation or its service provider to collect solid waste.

(b) "Designated Agent" means the person responsible for coordinating the collection of solid waste at a non-residential facility or property.

(c) "DPW" means the Oneida Nation Division of Public Works.

~~(1) is designed for serving food or beverages,~~

~~(2) consists of loose particles intended to fill space and cushion the package article in a shipping container;~~

~~(3) consists of rigid materials shaped to hold and cushion the packaged article in a shipping container.~~

(d) "ELA~~HDPE~~" means the Oneida Nation Environmental, Land & Agriculture Division~~high-density polyethylene, labelled by the SPI code #2~~.

(e) "Explosive Material" means any material, mixture, or compound with explosive or flammable properties such as dynamite, dynamite caps, shotgun shells, rifle cartridges, gunpowder, fireworks, gasoline, or certain chemicals.

~~(e) "LDPE" means low-density polyethylene, labelled by the SPI code #4.~~

(f) "E-waste~~ "Magazines~~" means a type of solid waste which contains large electronics~~magazines~~ and other hazardous waste including lead, mercury, cadmium, chromium, and other heavy metals and chemical flame retardants.~~materials printed on similar paper~~

(g) "Hazardous Waste" means any solid waste defined as hazardous waste by the U.S. Environmental Protection Agency under the provisions of the Resource Conservation and Recovery Act of 1976 as amended.

(h) "Major appliances" means non-portable or semi-portable machines used for housekeeping tasks and maintenance like temperature control, cooking, food preparation and storage, and cleaning and include items such as~~Major appliances" means~~ a residential or commercial air conditioner, clothes dryer, clothes washer, dishwasher, freezer, microwave oven, oven, refrigerator, furnace, boiler, dehumidifier, water heater, or stove.

(i) "Medical waste" means solid waste that contains pathogens with sufficient virulence and in sufficient quantity that exposure could cause the human or animal exposed to contract an infectious disease; or any waste generated in the diagnosis, treatment, or immunization of humans or animals.

(j~~(h~~) "Multi-family dwelling" means a property containing five (5) or more residential units, including those which are occupied seasonally.

(k) "Nation" means the Oneida Nation.

(l~~(i) "Newspaper" means a newspaper and other materials printed on newsprint.~~

~~(j~~) "Non-residential facilities and properties" means commercial, retail, industrial, institutional, and governmental facilities, ~~and/~~or properties. This term does not include multi-family dwellings.

(m) "Nuisance" means a thing, condition, or use of property which continues for such length of time as to:

(1) substantially annoy, injure, or endanger the comfort, health, repose, or safety of the public;

(2) in any way render the public insecure in life or in the use of property; or greatly offend the public morals or decency; or

(3) unlawfully and substantially interfere with, obstruct, or tend to obstruct or render dangerous for passage any street, alley, highway, navigable waters or other public way, or the use of public property.

(n) "Person" means a natural person, as well as a business entity~~(k) "Office paper" means high grade printing and writing papers from offices in non-residential facilities and properties. Printed white ledger and computer print-out are examples of office paper generally accepted as high grade. This term does not include industrial waste.~~

~~(l) "Other resins or multiple resins" means resins labelled by the SPI code #7.~~

~~(m) "Person" includes any individual~~, corporation, partnership, association, governmental unit, or agency of any governmental unit.

(o) "Recyclable materials~~(n) "PETE~~" means materials resulting from residential~~polyethylene terophthalate, labeled by the SPI code #1.~~

~~(o) "Plastic container" means an individual, separate, rigid plastic bottle, can, jar~~ or commercial activities~~carton, except for a blister pack,~~ that can be recovered through processes~~is used~~ to regain~~contain a product~~ that material for human or animal use. ~~is the subject of a retail sale.~~

(p) "Reservation" means all property within the exterior boundaries of the reservation of the Oneida Nation, as created pursuant to the 1838 Treaty with the Oneida, 7 Stat. 566., and all lands added thereto pursuant to federal law.

(q) "Service provider" means the company contracted with the Nation to provide collection services for solid waste collected within the Reservation.

(r) "Sewage" means water-carried solid waste created in and to be conducted away from residences, industrial establishments, and public buildings.
(s) "Sharps" means an object with sharp points or edges that can puncture or cut skin.
(t) "Sludge" means any solid, semisolid, or liquid waste generated from a municipal, commercial, or industrial wastewater treatment plant, water supply treatment plant, or air pollution control facility.
(u) "SMMP" means the Sustainable Materials Management Plan developed and maintained by DPW and ELA to outline how the Nation will reduce, manage, and dispose of all(p) "Post-consumer waste" means solid waste other than solid waste generated withinduring the Reservation.
(v) "Solidproduction of goods, hazardous waste" means solid, semi-solid, liquid, discarded, salvageable, and recyclable material. Solid, waste may consist of the following categories:

(a) garbage, which is waste resulting from the handling, cooking, processing, preparing, serving, storing, and consuming food, including fish, fowl, fruits, vegetables, or other matter which is subject to decomposition and decay;
(b) waste material resulting from typical residential activity, public service activities, and manufacturing;
(c) from construction orand demolition waste, which is waste resulting from building construction or demolition, alteration, or repair, including excavated material, remodeling, and other waste such as windows, doors, drywall, framing and roofing material, flooring, cabinets and counter tops, concrete, stone, asphalt, sod, earth, dirt, and brick;of structures, scrap automobiles, or high-volume industrial waste.
(d) refuse, which is all nonrecyclable waste resulting from industrial or commercial operations including but not limited to cans, bottles, plastic, paper, ashes, glass, lawn and garden waste, metal, rubber, street waste, wood, cloth, litter, litter, leaves, shrubbery, brush, and cardboard; and
(e) recyclable materials, which are waste materials that can be recovered through processes to regain that material for human or animal use.

(w(q) "PP" means polypropylene, labeled by the SPI code #5.
(r) "PS" means polystyrene, labeled by the SPI code #6.
(s) "PVC" means polyvinyl chloride, labeled by the SPI code #3.
(t) "Recyclable materials" includes lead-acid batteries, major appliances, waste oil, yard waste, aluminum containers, corrugated paper or other container board, foam polystyrene packaging, glass containers, magazines, newspaper, office paper, rigid plastic containers (including those made of PETE, HDPE, LDPE, PVC, PP, PS and other/multiple resins) steel containers, waste tires and bi-metal containers.
(u) "Solid Waste" means garbage, refuse, sludge, and other discarded materials, including solid waste materials resulting from industrial, commercial, and agricultural operations, and from community activities, but does not include solid or dissolved material in domestic sewage or other significant pollutants in water resources, such as silt, dissolved or suspended solids in industrial wastewater effluents, dissolved materials in irrigation return flows or other common water pollutants.

~~(v) "Solid Waste facility" means a facility for solid waste treatment, solid waste storage or solid waste disposal, and includes commercial, industrial, municipal, tribal, state and federal establishments or operations such as, without limitation because of enumeration, sanitary landfills, dumps, land disposal sites, incinerators, transfers stations, storage facilities, collection, and transportation services and processing, treatment and recovery facilities. This term includes the land where the facility is located. This term does not include a facility for the processing of scrap iron, steel or nonferrous metal using large machines to produce a principal product of scrap metal for sale or use for remelting purposes. This term does not include a facility which uses large machines to sort, grade, compact or bale clean waste paper, fibers or plastics, not mixed with other solid waste, for sale or use for recycling purposes. This term does not include an auto salvage yard or auto junk yard.~~

~~(w) "Solid waste treatment" means any method, technique or process which is designed to change the physical, chemical or biological character or composition of solid waste. "Treatment" includes incineration.~~

~~(x) "Waste tire" means a tire that is no longer suitable for its original purpose because of wear, damage or defect.~~

~~(y~~) "Yard waste" means leaves, grass clippings, yard and garden debris and brush, including clean woody vegetative material~~matter~~ no greater than six (6) inches in diameter. This term does not include trees, stumps, roots, or shrubs with intact root balls.

~~(z) "Medical waste" means solid waste that contains pathogens with sufficient virulence and in sufficient quantity that exposure of a susceptible human or animal to the solid waste could cause the human or animal to contract an infectious disease. Medical waste includes any waste that contains or may be mixed with infectious waste.~~

~~(aa) "Designated Agent" means that person responsible for coordinating the collection and separation of recyclables at a non-residential facility or property.~~

~~(bb) "Hazardous Waste" means any solid waste defined as hazardous waste by the U.S. Environmental Protection Agency under the provisions of the Resource Conservation and Recovery Act of 1976, as amended.~~

~~**405.5. Recycling Applicability and Prohibitions**~~

~~405.5-1.~~

405.4. Application

405.4-1. This law governs the management of solid waste within the Reservation.

(a) Solid waste ~~This law applies to all activities within the exterior boundaries of the Oneida Nation of Wisconsin, members of the Oneida Nation, and all residents within the exterior boundaries of the Oneida Nation.~~

~~405.5-2. No person may dispose of recyclable material by dumping, burning or other means any materials specified in Section 5-3 of this law which has been separated for recycling or composting, except waste tires which may by burned for energy recovery in a solid waste treatment facility.~~

~~405.5-3. Occupants of single and two-to-four unit residents, multiple-family dwelling and non-residential facilities shall separate the following materials from post consumer waste:~~

~~(a) lead acid batteries~~

~~(b) major appliances~~

~~(c) waste oil~~
~~(d) yard waste~~
~~(e) aluminum containers~~
~~(f) bi-metal containers~~
~~(g) corrugated paper or other container board~~
~~(h) foam polystyrene packaging~~
~~(i) glass containers~~
~~(j) magazines or other materials printed on similar paper~~
~~(k) newspaper or other materials printed on similar paper~~
~~(l) office paper~~
~~(m) plastic containers made of PETE, HDPE, PVC, LDPE, PP, PS, and mixed or other plastic resin types,~~
~~(n) steel containers~~
~~(o) waste tires~~

~~405.5-4. VARIANCES: The Oneida Nation reserves the right to grant a variance from collection for any of the above post consumer wastes (Section 5-3 (a) through (o)). For 1995, the Oneida Nation grants a variance from collection for:~~

~~(a) foam polystyrene packaging, (Section 5-3(h)) and;~~
~~(b) those containers listed under Section 5-3(m) made of PVC, LDPE, PP, PS, and mixed or other plastic resin types. (Those plastic container types numbers 3 through 7). This variance shall remain in effect until such time as the recycling of these items is made commercially feasible.~~

~~405.5-5. To the greatest extent practicable, the recycled materials separated in accordance with Section 5-3 shall be clean and kept free of contaminants such as food materials, oil, grease, or other non-recyclable materials, including, but not limited to, household hazardous waste, medical waste, and agricultural chemical containers. Recyclable materials shall be stored in such a manner which protects them from wind, rain and other inclement weather conditions.~~

~~**405.6. Management of Separated Recyclable Materials**~~

~~405.6-1. Lead Acid Batteries shall be taken to a retail business that sells batteries.~~

~~405.6-2. Major Appliances shall be taken to N.W. Recycling, 3711 West Mason Street, Oneida, WI 54155 (414) 494-4477. For a $25.00 fee, Home Pro will pick up major appliances on site. The Oneida Environmental Department should be consulted for details and other options. Microwave ovens may be land filled if the capacitor has been removed.~~

~~405.6-3. Waste Oil should be stored in a dirt-free container with a leak-proof lid, not contaminated with solvents or any other materials, and taken to a waste oil collection site. The Oneida Environmental Department should be consulted for details and disposal options.~~

~~405.6-4. Yard Waste shall be taken to the Oneida Nation Compost Site at Site 2.~~

~~405.6-5. Aluminum Containers shall be separated from any solid waste, rinsed and placed in curbside recycling bins.~~

~~405.6-6. Bi-Metal containers shall be separated from any solid waste, rinsed and placed in curbside recycling bins.~~

~~405.6-7. Corrugated Paper or other Container Board shall be picked up at curbside. Corrugated paper or other container board should be placed in bags or boxes next to curbside containers.~~
~~405.6-8. Foam Polystyrene Packaging shall be collected for recycling according to feasibility and market availability.~~
~~405.6-9. Magazines shall be separated from any solid waste and picked up at curbside.~~
~~405.6-10. Newspaper shall be separated from any solid waste and picked up at curbside. Newspaper shall be placed in paper bags or boxes, but shall not be bound.~~
~~405.6-11. Office Paper shall be separated by businesses from any solid waste and picked up at curbside.~~
~~405.6-12. Rigid Plastic Containers~~

~~(a) PETE (SPI #1) shall be placed in curbside bins.~~
~~(b) HDPE (SPI #2) shall be placed in curbside bins.~~
~~(c) PVC (SPI #3) shall be collected for recycling according to feasibility and market availability.~~
~~(d) LDPE (SPI #4) shall be collected for recycling according to feasibility and market availability.~~
~~(e) PP (SPI #6) shall be collected for recycling according to feasibility and market availability.~~
~~(f) PS (SPI #6) shall be collected for recycling according to feasibility and market availability.~~
~~(g) Other resins or multiple resins (SPI #7) shall be collected for recycling according to feasibility and market availability.~~

~~The Oneida Environmental Department shall promulgate and distribute instructions to all affected person as regarding recyclable rigid plastic.~~
~~405.6-13. Steel Containers shall be rinsed and placed in curbside bins.~~
~~405.6-14. Waste Tires shall be collected semi-annually by the Oneida Environmental Department.~~
~~405.6-15. Steel, Bi-metal, aluminum, and plastic containers as well as corrugated paper or other container board, may also be taken to drop-off sites.~~

~~**405.7. Responsibilities and Disposal**~~
~~405.7-1. Owners or designate agents of non-residential facilities and properties and multi-family dwellings shall do all of the following for recycling the materials specified in 5-3:~~

~~(a) Provide adequate, separate containers for the recyclable materials~~
~~(b) Notify, in writing, at the time of lease and annually thereafter, all users, tenants and occupants of the property about this law and any established recycling program under this law.~~
~~(c) Provide for the collection of the materials separated from the solid waste by users, tenants and occupants and the delivery of materials to a recycling facility.~~
~~(d) Notify users, tenants and occupants of which materials are collected, how to prepare the materials in order to meet the processing requirements, collection methods or sites, locations and hours of operation, and contact person or company, including a name, address and telephone number.~~

~~405.7-2. To the greatest extent practicable, the recycled materials separated in accordance with Section 5-3 shall be clean and kept free of contaminants such as food materials, including, but not~~

~~limited to, household hazardous waste, medical waste, and agricultural chemical containers. Recyclable materials shall be stored in such a manner which protects them from wind, rain and other inclement weather conditions.~~

~~405.8. **Prohibition on Disposal of Recyclable Materials Separated for Recycling**~~
~~405.8-1. No person may dispose of in a solid waste disposal facility or burn in a solid waste treatment facility any of the materials specified in Section 5-3 (a) through (o) which have been separated for recycling, except for materials granted a variance pursuant to Section 5-4 and except waste tires may be burned for energy recovery in a solid waste treatment facility.~~

~~**405.9. Non-Collectable Materials**~~
~~405.9-1.~~ shall be handled, stored, collected, transported, transferred, processed, recycled, and disposed of in accordance with the provisions of this law, the most current version of the SMMP, and the applicable provisions of the Resource Conservation and Recovery Act as amended.
(b) The SMMP shall be interpreted in a manner consistent with this law to the greatest extent possible.
(1) In the event there is an irreconcilable conflict between a provision of this law and a provision of the SMMP, the provision of this law shall govern~~No person, unless provided written permission by the Oneida Nation, may deposit or place for any recyclable material collection by the Oneida Nation or its contractors, at any location within the Oneida Indian Reservation, any of the following recyclable materials, wastes, residuals, and other materials:~~
~~(a) Hazardous wastes~~
~~(b) Toxic wastes~~
~~(c) Free liquid in any containers, including paints and solvents~~
~~(d) Pesticides, excluding non-agricultural pesticide containers~~.

405.5 Authority
405.5-1. DPW and ELA shall be delegated the authority to administer the provisions of this law, which shall include, but not be limited to:
(a) overseeing the implementation and enforcement of this law and the SMMP, including the authority to delegate certain of those duties to other agencies of the Nation or to third-party service providers for implementation;
(b) following the Nation's RFP process for the procurement of third-party service providers;
(1) all third-party service providers shall be State licensed solid waste transporters.
(c) developing and amending the SMMP to be consistent with this law and at least once every five years and subject to approval by the Oneida Business Committee through resolution;
(d) developing a fine and penalty schedule, subject to approval by the Oneida Business Committee through resolution;
(e) DPW, ELA, and the service provider shall take reasonable measures to ensure that the public is aware and informed of the requirements of this law and the SMMP which may include sending new customers collection requirements, notifying the public through

publication and making information available to the public for inspection at the offices of DPW or ELA during normal business hours.

(1) Any person in doubt as to the proper preparation, handling, and disposal of any type of solid waste should contact DPW, ELA, or the service provider for instruction.

(f) conducting inspections, as well as investigating complaints, to ensure that solid waste is managed in accordance with this law and the SMMP;

(1) no person may refuse access to any person authorized in this section who requests access for purposes of inspecting an alleged violation based on probable cause and who presents appropriate credentials;

(g) determining if the storage or disposal of solid waste has created a nuisance;

(h) issuing a citation to persons found in violation of this law in an amount set forth in the fine and penalty schedule adopted by resolution of the Oneida Business Committee and pursuant to the Nation's Citation Law;

(1) each day of a continuing violation may be charged as a separate violation and the officer may issue a separate citation;

(i) making referrals to the Oneida Police Department, the Oneida Conservation Department, or the Zoning Department, when deemed necessary, for further investigation or enforcement consistent with this law.

(j) notifying all customers of the Nation of the terms and conditions for collection; and

(k) making reasonable rules for the regulation and administration of this law as may be necessary for the proper storage, collection, removal, and disposal of solid waste within the Reservation.

405.5-2. The Oneida Police Department shall be delegated the authority to enforce the provisions of this law, which shall include, but not be limited to:

(a) investigate complaints and referrals from DPW or ELA for suspected violations of this law;

(b) obtain a search warrant and conduct inspections if necessary to enforce the provisions of this law;

(1) No person may refuse access to any person authorized in this section who requests access for purposes of inspecting an alleged violation based on probable cause and who presents appropriate credentials; and

(c) issue citations consistent with the fine and penalty schedule developed by DPW and ELA and~~properly cleaned, not contaminated, and if~~ approved by the Oneida Business Committee;

(1) each day of a continuing violation may be charged as a separate violation and the officer may issue a separate citation.

~~Nation for separation and for recyclable material~~

405.6. Collection and Disposal of Solid Waste

405.6-1. *Mandatory Curbside Collection.* All approved solid waste shall be collected from customers provided such materials are properly handled, prepared, contained, stored, and located. Curbside collection is generally for residential customers.

405.6-2. *Collection Preparation and Storage Requirements.* Customers located within the Reservation must adhere to the following:

(a) only approved bins provided by the Nation or its service provider are acceptable for collection;

(b) all solid waste shall be maintained in such a manner as to prevent the creation of a nuisance to public health and safety;

;

(c) when placed for curbside collection, containers shall not be placed in a manner that obstructs driveways, legally parked vehicles, and snow removal efforts;

(d) to the greatest extent practicable, solid waste should be clean and kept free of hazardous waste or medical waste; and

(e) solid waste shall be stored in a manner that protects it from wind, rain, and other inclement weather conditions.

405.6-3. *Collection Requirements.* DPW shall provide a collection service within the Reservation that includes, at a minimum:

(a) periodic collection of solid waste; provided, such waste is properly handled, prepared, contained, and stored in accordance with this law and the SMMP; and.

(b) the issuance of containers that are adequate for the storage of collectable solid waste(c) Medical wastes

(f) Asbestos

(g) Sludge wastes

(h) Industrial or.

405.6-4. The following shall apply to the collection and disposal of all solid waste within the Reservation, regardless of the curbside service provider:

(a) All solid waste shall be collected and transported in a manner that prevents the waste from leaking, blowing off, or falling from the transport vehicle.

(b) No commercial solid waste transporter shall operate or conduct business within the Reservation without a solid waste transport license issued from the State of Wisconsin.

405.6-5. *Separation.* Occupants of single and two-to-four-unit residences, multi-family dwellings, and the designated agent at non-residential facilities and properties shall separate certain items from solid waste in accordance with the terms and conditions of collection as provided by the service provider. Some items that must be separated from solid waste are likely not collectable and some are likely collectable only during a special collection.

405.6-6. *Right to Reject.* ELA or its designated collection and transportation service reserve the right to refuse to collect any solid waste that is not handled, prepared, contained, stored, or located in accordance with this law or the SMMP.

405.6-7. *Special Collections*. The collection of some items will be scheduled annually and posted on the Nation's website.

405.7 Non-Collectable Solid Waste

405.7-1. No person may place for curbside collection or deposit at any location within the Reservation any of the following types of solid waste:

(a) hazardous waste;

(b) pesticides;

(c) medical waste;
(d) asbestos;
(e) sludge;
(f) ~~wastes from any~~ industrial or commercial waste from any industrial or commercial facility or operation;
(g) residue or~~i) Residue and~~ debris from the clean-up of a chemical discharge or chemical residue and debris from any facility or operation using chemicals in any commercial, agricultural, or industrial process;~~.~~
(h) medical~~j) Ash~~ waste;
(i) sewage;
(j) deer carcasses~~k) Hazardous~~ or other large animal carcasses weighing over one hundred (100) pounds; collection of which is subject to the terms~~toxic construction~~ and conditions of service agreements between the Nation, surrounding Counties and municipalities, and the State;(k) trees or any other material that does not meet the definition of yard waste;~~demolition wastes~~
(l) wood~~Biomedical wastes~~
~~(m) Septage~~
~~(n) Animal fecal wastes~~
~~(o) Dead animals~~
~~(p) Brush or trees~~
~~(q) Wood~~ treated with chemical preservatives;
(m) explosive~~r) Explosive~~ material;
(n) material that would otherwise be ~~(s) Contaminated~~ recyclable material ~~as determined by the Oneida Nation, its designee or contractor.~~

~~405.10~~but~~. **Right to Reject Materials**~~
~~405.10-1. The Oneida Nation and its contractors reserve the right to reject and leave at the curbside any material not in accordance with this ordinance.~~

~~**405.11. Solid Waste**~~
~~405.11-1. The following provisions shall apply to all solid waste disposal within the exterior boundaries of the Oneida Reservation, and those business premises owned or leased by the Oneida Nation of Wisconsin not covered by a recycling law;~~
~~(a) No person shall leave, deposit, or dump solid waste within the exterior boundaries of the Oneida Reservation except at a designated disposal or collection site. No person shall dispose of any solid waste generated outside the boundaries of the Oneida Reservation unless such disposal~~ is contaminated by ~~at a collection or transfer site which is certified as in compliance with all applicable state, federal and tribal regulations.~~
~~(b) No person shall dispose of solid waste on any private or public residential property, where disposal of such wastes will cause a public nuisance or health hazard, by causing noxious odors to escape or by infestation or insects or rodents.~~
~~(c) No person shall deposit solid waste from any stopped or moving vehicle onto state, federal or tribal highways, roads, or right of ways, within the exterior boundaries of the Oneida Reservation.~~

~~(d) No person shall dispose of any~~ hazardous or medical waste; ~~waste within the exterior boundaries of the Oneida Reservation.~~

(o) e-waste;

(p) any other material expressly prohibited by the SMMP if DPW has provided adequate, advanced notice to the public; and

(q) any item expressly prohibited by the service provider.

405.8. Non-Residential Facilities and Properties and Multi-Family Dwellings ~~(e) No person shall dispose of solid waste at a collection or disposal site located within the exterior boundaries of the Oneida Reservation except in a manner approved a Recycling and Solid Waste Disposal program or agency as established by the Oneida Business Committee.~~

~~(f) No person shall burn household solid waste or recyclables in any type of container.~~

~~(g) All solid waste containing food wastes shall be securely stored in covered or closed containers which are nonabsorbent, leakproof, durable, easily cleanable, and designed for safe handling. Containers shall be of adequate size and in sufficient numbers to contain all food wastes, rubbish, and ashes that a residence or other establishment generates in the period of time between collections. Containers shall be maintained in a clean condition so that they do not constitute a nuisance, and to retard harborage, feeding and breeding of vectors. When serviced, storage containers should be emptied completely of all solid waste.~~

~~405.11-2. Solid Waste Collection and Transport~~

~~(a) Any solid waste transported within the exterior boundaries of the Oneida Reservation shall be collected and transported in a manner that prevents the waste from leaking, blowing off, or falling from the transport vehicle.~~

~~(b) No commercial solid waste, or recycling, transporter shall operate or conduct business within the Oneida Reservation without prior approval of solid waste transport license received from the Oneida Nation Conservation Department.~~

~~**405.12. Enforcement**~~

~~405.12-1. All Oneida Reservation Conservation Enforcement Officers and Police Officers shall be empowered to enforce the provisions of this law.~~

~~405.12-2. Violation of any provision of this law may be punishable by a fine not to exceed $500.00. Each day of any continuing violation may be charged as a separate violation, and a separate penalty may be imposed.~~

~~405.12-3. In addition to a penalty, any personal property which has been used in connection with such a violation, including vehicles and other equipment, may be seized and forfeited in satisfaction of any judgment entered pursuant to this law.~~

~~405.12-4. Nothing herein shall prevent the Oneida Business Committee from bringing suit in the appropriate forum against any violator of this law for monetary damages for harm to any Oneida Nation resource caused by a violation of this law, or for injunctive relief.~~

~~405.12-5. Any authorized officer of the Oneida Conservation Department, may inspect recyclable materials separated for recycling, post consumer waste intended for disposal, collection sites, and facilities, collection vehicles, collections area of multiple family dwellings and non residential facilities and properties, solid waste disposal facilities, and solid waste treatment facilities and any records relating to recycling activities for the purpose of ascertaining compliance with the~~

~~provisions of this law. No person may refuse access to any person authorized in this section who requests access for purposes of inspection, and who present appropriate credentials.~~

~~405.12-6. Any person who violates a provision of this ordinance may be issued a citation by the Oneida Nation Conservation Warden(s) to collect forfeitures. The issuance of the citations under any other law ore regulation relating to the same or any other matter shall not preclude the issuance of a citation under this law.~~

~~405.12-7. Penalties may be assessed for a violation of any provision of this law as follows for violation of any provision of Section 6-1:~~

~~(a) First violation-$50.00~~

~~(b) Second violation-$250.00~~

~~(c) Third violation-$2000.00~~

~~(d) All violation penalties are also subject to seizure of equipment used in the violation.~~

~~**405.13. Administration and Interpretation**~~

~~405.13-1. The Oneida Business Committee delegates the authority to administer and create regulations regarding this law to the Oneida Environmental Department and the enforcement of the provisions of this law and any regulations made pursuant to this law to the Oneida Conservation Department.~~

~~405.13-2. Where any terms or requirements of this law may be inconsistent or conflicting, the more restrictive provision of the law is applicable. Where the federal and tribal law regarding environmental protection conflict, the tribal law shall be interpreted in regards to the latest federal standards in effect, provided that such standards are not less than those standards provided herein.~~

~~405.13-3. Severability. Should any provision if this law be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this law shall not be affected thereby.~~

405.8-1. Owners of non-residential facilities and properties and multi-family dwellings or their designated agents shall do the following:

(a) provide adequate, separate containers for solid waste and provide a collection and delivery service of those solid wastes to a processing facility;

(b) notify, in writing, at the time of signing the lease and annually thereafter, all users, tenants, and occupants of the property about this law and the SMMP; and

(c) notify users, tenants, and occupants of which materials are collected, how to prepare the materials in order to meet the collection and processing requirements of this law and the SMMP, the collection methods, or sites, including address and hours of operation, and the contact person or company, including name, address, and telephone number.

405.9. Prohibitions

405.9-1. Unless authorized, no person shall:

(a) burn solid waste;

(b) dump, deposit, or throw solid waste from a stopped or moving vehicle upon a highway, road, or right of way within the Reservation;

(c) dump, dispose, throw, or leave solid waste in any waterway located within the Reservation, at any time of the year;

(d) dump, dispose, or leave solid waste within the Reservation in a dumpster or waste bin that does not belong to that customer and is not authorized for that customer's use;

(e) store, handle, dump, deposit, leave, or throw solid waste in any way reasonably likely to cause a nuisance;

(f) neglect or refuse to clean up and remove from the premises any solid wastes that are stored in violation of this law and when ordered to do so by DPW, ELA, the Oneida Police Department, or the Nation's Zoning Department; and

(g) dump, dispose, or leave solid waste within the Reservation in a location or manner not authorized by the SMMP or that would violate this law, the Public Peace law, or any other law of the Nation.

405.10. Right to Refuse Collection

405.10-1. If solid wastes are not properly handled, prepared, contained, stored, or located, the service provider may not collect.

(a) Instead of collecting, the service provider may leave a notice explaining the reason for non-collection and allowing the customer time to correct, typically until the next collection.

(b) If the customer has not corrected by the next collection, the service provider will notify DPW for enforcement under this law.

End.

Adopted – BC–12-14-94-A
Amended – BC-2-15-95-K
Amended – BC-11-9-98-A (Emergency amendments – expired)

Title 4. Environment and Natural Resources - Chapter 405
Tsiʔ Tetwatlahtste Kahle Tsiʔ Yeyakotyehtákhwaʔ
where the things are used over and where the garbage is kept
SOLID WASTE DISPOSAL

405.1 Purpose and Policy
405.2 Adoption and Amendment
405.3 Definitions
405.4 Application
405.5 Authority
405.6 Collection and Disposal of Solid Waste
405.7 Non-Collectable Solid Waste
405.8 Non-Residential Facilities and Properties and Multi-Family Dwellings
405.9 Prohibitions
405.10 Right to Refuse Collection

405.1. Purpose and Policy
405.1-1. *Purpose.* The purpose of this law is to set forth the process by which the Oneida Nation will reduce, manage, and dispose of recyclable materials and solid waste within the jurisdictional boundaries of the Nation.
405.1-2. *Policy.* It is the policy of the Nation to protect the health, safety, and welfare of the community by prohibiting methods of solid waste disposal that could have an adverse impact on members of the community or the environment and by implementing a solid waste management program that emphasizes reducing, reusing, and recycling the majority of waste within the Reservation.

405.2. Adoption and Amendment
405.2-1. This law was adopted by the Oneida Business Committee by resolution BC-12-14-94-A and amended by resolutions BC-2-15-95-K, BC-11-9-98-A and BC-__-__-__-__.
405.2-2. This 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.
405.2-3. Should a provision of this law or the application thereof to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this law which are considered to have legal force without the invalid portions.
405.2-4. In the event of a conflict between a provision of this law and a provision of another law, the provisions of this law shall control.
405.2-5. This law was adopted under the authority of the Constitution of the Oneida Nation.

405.3. Definitions
405.3-1. This section shall govern the definitions of words and phrases used within this law. All words not defined herein shall be used in their ordinary and everyday sense.

(a) "Customer" means all residential and commercial properties within the Reservation who use the Nation's service provider and dumpsters and bins, authorized by the Nation or its service provider to collect solid waste.

(b) "Designated Agent" means the person responsible for coordinating the collection of solid waste at a non-residential facility or property.

(c) "DPW" means the Oneida Nation Division of Public Works.

(d) "ELA" means the Oneida Nation Environmental, Land & Agriculture Division.

(e) "Explosive Material" means any material, mixture, or compound with explosive or flammable properties such as dynamite, dynamite caps, shotgun shells, rifle cartridges, gunpowder, fireworks, gasoline, or certain chemicals.

(f) "E-waste" means a type of solid waste which contains large electronics and other hazardous waste including lead, mercury, cadmium, chromium, and other heavy metals and chemical flame retardants.

(g) "Hazardous Waste" means any solid waste defined as hazardous waste by the U.S. Environmental Protection Agency under the provisions of the Resource Conservation and Recovery Act of 1976 as amended.

(h) "Major appliances" means non-portable or semi-portable machines used for housekeeping tasks and maintenance like temperature control, cooking, food preparation and storage, and cleaning and include items such as a residential or commercial air conditioner, clothes dryer, clothes washer, dishwasher, freezer, microwave oven, oven, refrigerator, furnace, boiler, dehumidifier, water heater, or stove.

(i) "Medical waste" means solid waste that contains pathogens with sufficient virulence and in sufficient quantity that exposure could cause the human or animal exposed to contract an infectious disease; or any waste generated in the diagnosis, treatment, or immunization of humans or animals.

(j) "Multi-family dwelling" means a property containing five (5) or more residential units, including those which are occupied seasonally.

(k) "Nation" means the Oneida Nation.

(l) "Non-residential facilities and properties" means commercial, retail, industrial, institutional, and governmental facilities, or properties. This term does not include multi-family dwellings.

(m) "Nuisance" means a thing, condition, or use of property which continues for such length of time as to:

(1) substantially annoy, injure, or endanger the comfort, health, repose, or safety of the public;

(2) in any way render the public insecure in life or in the use of property; or greatly offend the public morals or decency; or

(3) unlawfully and substantially interfere with, obstruct, or tend to obstruct or render dangerous for passage any street, alley, highway, navigable waters or other public way, or the use of public property.

(n) "Person" means a natural person, as well as a business entity, corporation, partnership, association, governmental unit, or agency of any governmental unit.

(o) "Recyclable materials" means materials resulting from residential or commercial activities that can be recovered through processes to regain that material for human or animal use.

(p) "Reservation" means all property within the exterior boundaries of the reservation of the Oneida Nation, as created pursuant to the 1838 Treaty with the Oneida, 7 Stat. 566., and all lands added thereto pursuant to federal law.

(q) "Service provider" means the company contracted with the Nation to provide collection services for solid waste collected within the Reservation.

(r) "Sewage" means water-carried solid waste created in and to be conducted away from residences, industrial establishments, and public buildings.

(s) "Sharps" means an object with sharp points or edges that can puncture or cut skin.

(t) "Sludge" means any solid, semisolid, or liquid waste generated from a municipal, commercial, or industrial wastewater treatment plant, water supply treatment plant, or air pollution control facility.

(u) "SMMP" means the Sustainable Materials Management Plan developed and maintained by DPW and ELA to outline how the Nation will reduce, manage, and dispose of all solid waste generated within the Reservation.

(v) "Solid waste" means solid, semi-solid, liquid, discarded, salvageable, and recyclable material. Solid waste may consist of the following categories:

(a) garbage, which is waste resulting from the handling, cooking, processing, preparing, serving, storing, and consuming food, including fish, fowl, fruits, vegetables, or other matter which is subject to decomposition and decay;

(b) waste material resulting from typical residential activity, public service activities, and manufacturing;

(c) construction or demolition waste, which is waste resulting from building construction or demolition, alteration, or repair, including excavated material, remodeling, and other waste such as windows, doors, drywall, framing and roofing material, flooring, cabinets and counter tops, concrete, stone, asphalt, sod, earth, dirt, and brick;

(d) refuse, which is all nonrecyclable waste resulting from industrial or commercial operations including but not limited to cans, bottles, plastic, paper, ashes, glass, lawn and garden waste, metal, rubber, street waste, wood, cloth, litter, litter, leaves, shrubbery, brush, and cardboard; and

(e) recyclable materials, which are waste materials that can be recovered through processes to regain that material for human or animal use.

(w) "Yard waste" means leaves, grass clippings, yard and garden debris and brush, including clean woody vegetative material no greater than six (6) inches in diameter. This term does not include trees, stumps, roots, or shrubs with intact root balls.

405.4. Application

405.4-1. This law governs the management of solid waste within the Reservation.

(a) Solid waste shall be handled, stored, collected, transported, transferred, processed, recycled, and disposed of in accordance with the provisions of this law, the most current version of the SMMP, and the applicable provisions of the Resource Conservation and Recovery Act as amended.

(b) The SMMP shall be interpreted in a manner consistent with this law to the greatest extent possible.

(1) In the event there is an irreconcilable conflict between a provision of this law and a provision of the SMMP, the provision of this law shall govern.

405.5 Authority

405.5-1. DPW and ELA shall be delegated the authority to administer the provisions of this law, which shall include, but not be limited to:

(a) overseeing the implementation and enforcement of this law and the SMMP, including the authority to delegate certain of those duties to other agencies of the Nation or to third-party service providers for implementation;

(b) following the Nation's RFP process for the procurement of third-party service providers;

(1) all third-party service providers shall be State licensed solid waste transporters;

(c) developing and amending the SMMP to be consistent with this law and at least once every five years and subject to approval by the Oneida Business Committee through resolution;

(d) developing a fine and penalty schedule, subject to approval by the Oneida Business Committee through resolution;

(e) DPW, ELA, and the service provider shall take reasonable measures to ensure that the public is aware and informed of the requirements of this law and the SMMP which may include sending new customers collection requirements, notifying the public through publication and making information available to the public for inspection at the offices of DPW or ELA during normal business hours;

(1) any person in doubt as to the proper preparation, handling, and disposal of any type of solid waste should contact DPW, ELA, or the service provider for instruction;

(f) conducting inspections, as well as investigating complaints, to ensure that solid waste is managed in accordance with this law and the SMMP;

(1) no person may refuse access to any person authorized in this section who requests access for purposes of inspecting an alleged violation based on probable cause and who presents appropriate credentials;

(g) determining if the storage or disposal of solid waste has created a nuisance;

(h) issuing a citation to persons found in violation of this law in an amount set forth in the fine and penalty schedule adopted by resolution of the Oneida Business Committee and pursuant to the Nation's Citation Law;

(1) each day of a continuing violation may be charged as a separate violation and the officer may issue a separate citation;

(i) making referrals to the Oneida Police Department, the Oneida Conservation Department, or the Zoning Department, when deemed necessary, for further investigation or enforcement consistent with this law;

(j) notifying all customers of the Nation of the terms and conditions for collection; and

(k) making reasonable rules for the regulation and administration of this law as may be necessary for the proper storage, collection, removal, and disposal of solid waste within the Reservation.

405.5-2. The Oneida Police Department shall be delegated the authority to enforce the provisions of this law, which shall include, but not be limited to:

(a) investigate complaints and referrals from DPW or ELA for suspected violations of this law;

(b) obtain a search warrant and conduct inspections if necessary to enforce the provisions of this law;

(1) no person may refuse access to any person authorized in this section who requests access for purposes of inspecting an alleged violation based on probable cause and who presents appropriate credentials; and

(c) issue citations consistent with the fine and penalty schedule developed by DPW and ELA and approved by the Oneida Business Committee;

(1) each day of a continuing violation may be charged as a separate violation and the officer may issue a separate citation.

405.6. Collection and Disposal of Solid Waste

405.6-1. *Mandatory Curbside Collection.* All approved solid waste shall be collected from customers provided such materials are properly handled, prepared, contained, stored, and located. Curbside collection is generally for residential customers.

405.6-2. *Collection Preparation and Storage Requirements.* Customers located within the Reservation must adhere to the following:

(a) only approved bins provided by the Nation or its service provider are acceptable for collection;

(b) all solid waste shall be maintained in such a manner as to prevent the creation of a nuisance to public health and safety;

(c) when placed for curbside collection, containers shall not be placed in a manner that obstructs driveways, legally parked vehicles, and snow removal efforts;

(d) to the greatest extent practicable, solid waste should be clean and kept free of hazardous waste or medical waste; and

(e) solid waste shall be stored in a manner that protects it from wind, rain, and other inclement weather conditions.

405.6-3. *Collection Requirements.* DPW shall provide a collection service within the Reservation that includes, at a minimum:

(a) periodic collection of solid waste; provided, such waste is properly handled, prepared, contained, and stored in accordance with this law and the SMMP; and

(b) the issuance of containers that are adequate for the storage of collectable solid waste.

405.6-4. The following shall apply to the collection and disposal of all solid waste within the Reservation, regardless of the curbside service provider:

(a) All solid waste shall be collected and transported in a manner that prevents the waste from leaking, blowing off, or falling from the transport vehicle.

(b) No commercial solid waste transporter shall operate or conduct business within the Reservation without a solid waste transport license issued from the State of Wisconsin.

405.6-5. *Separation.* Occupants of single and two-to-four-unit residences, multi-family dwellings, and the designated agent at non-residential facilities and properties shall separate certain items from solid waste in accordance with the terms and conditions of collection as provided by the service provider. Some items that must be separated from solid waste are likely not collectable and some are likely collectable only during a special collection.

405.6-6. *Right to Reject.* ELA or its designated collection and transportation service reserve the right to refuse to collect any solid waste that is not handled, prepared, contained, stored, or located in accordance with this law or the SMMP.

405.6-7. *Special Collections*. The collection of some items will be scheduled annually and posted on the Nation's website.

405.7 Non-Collectable Solid Waste

405.7-1. No person may place for curbside collection or deposit at any location within the Reservation any of the following types of solid waste:

(a) hazardous waste;
(b) pesticides;
(c) medical waste;
(d) asbestos;
(e) sludge;
(f) industrial or commercial waste from any industrial or commercial facility or operation;
(g) residue or debris from the clean-up of a chemical discharge or chemical residue and debris from any facility or operation using chemicals in any commercial, agricultural, or industrial process;
(h) medical waste;
(i) sewage;
(j) deer carcasses or other large animal carcasses weighing over one hundred (100) pounds; collection of which is subject to the terms and conditions of service agreements between the Nation, surrounding Counties and municipalities, and the State;(k) trees or any other material that does not meet the definition of yard waste;
(k) wood treated with chemical preservatives;
(l) explosive material;
(m) material that would otherwise be recyclable material but is contaminated by hazardous or medical waste;
(n) e-waste;
(o) any other material expressly prohibited by the SMMP if DPW has provided adequate, advanced notice to the public; and
(p) any item expressly prohibited by the service provider.

405.8. Non-Residential Facilities and Properties and Multi-Family Dwellings

405.8-1. Owners of non-residential facilities and properties and multi-family dwellings or their designated agents shall do the following:

(a) provide adequate, separate containers for solid waste and provide a collection and delivery service of those solid wastes to a processing facility;
(b) notify, in writing, at the time of signing the lease and annually thereafter, all users, tenants, and occupants of the property about this law and the SMMP; and
(c) notify users, tenants, and occupants of which materials are collected, how to prepare the materials in order to meet the collection and processing requirements of this law and the SMMP, the collection methods, or sites, including address and hours of operation, and the contact person or company, including name, address, and telephone number.

405.9. Prohibitions

405.9-1. Unless authorized, no person shall:

(a) burn solid waste;

(b) dump, deposit, or throw solid waste from a stopped or moving vehicle upon a highway, road, or right of way within the Reservation;

(c) dump, dispose, throw, or leave solid waste in any waterway located within the Reservation, at any time of the year;

(d) dump, dispose, or leave solid waste within the Reservation in a dumpster or waste bin that does not belong to that customer and is not authorized for that customer's use;

(e) store, handle, dump, deposit, leave, or throw solid waste in any way reasonably likely to cause a nuisance;

(f) neglect or refuse to clean up and remove from the premises any solid wastes that are stored in violation of this law and when ordered to do so by DPW, ELA, the Oneida Police Department, or the Nation's Zoning Department; and

(g) dump, dispose, or leave solid waste within the Reservation in a location or manner not authorized by the SMMP or that would violate this law, the Public Peace law, or any other law of the Nation.

405.10. Right to Refuse Collection

405.10-1. If solid wastes are not properly handled, prepared, contained, stored, or located, the service provider may not collect.

(a) Instead of collecting, the service provider may leave a notice explaining the reason for non-collection and allowing the customer time to correct, typically until the next collection.

(b) If the customer has not corrected by the next collection, the service provider will notify DPW for enforcement under this law.

End.

Adopted – BC–12-14-94-A
Amended – BC-2-15-95-K
Amended – BC-11-9-98-A (Emergency amendments – expired)

RECYCLING AND SOLID WASTE DISPOSAL LAW AMENDMENTS LEGISLATIVE ANALYSIS

SECTION 1. EXECUTIVE SUMMARY

Analysis by the Legislative Reference Office	
Intent of the Legislation or Amendments	▪ Rename the law from "Recycling and Solid Waste Disposal" to "Solid Waste Disposal." *[4 O.C. 405]*. ▪ Remove the separation of "recycling" and "solid waste" and instead redefine solid waste to include recyclable materials. *[4 O.C. 405.3-1(v); 4 O.C. 405.6]*. ▪ Clarify in the definitions the following terms: "customers," "e-waste," "major appliances," "reservation," "service provider," and "sharps." *[4 O.C. 405.1-1(a); (f); (p); (h); (p); (q); (s)]*. ▪ Clarify the management of solid waste within the Reservation will be governed by this law, the Nation's Sustainable Materials Management Plan, and applicable provisions of the Resource Conservation and Recovery Act. *[4 O.C. 405.4]*. ▪ Clarify that Division of Public Works ("DPW") and Environmental Land and Agriculture ("ELA") have the authority to administer certain provisions of this law, including informing the public of certain requirements, determining nuisances, procuring service providers, and making rules for the regulation and administration of this law. *[4 O.C. 405.5]*. ▪ Clarify there will be a fine and penalty schedule developed by DPW and ELA and approved by the Oneida Business Committee. *[4 O.C. 405.5-1(h)]*. ▪ Clarify certain items need to be separated; ELA, or the service provider may refuse pick up; and there will be a special collection of some items which will be scheduled annually and posted on the Nation's website. *[4 O.C. 405.6.7]*; *[4 O.C. 405.7]*; *[405 O.C. 405.10]*. ▪ Clarify that deer carcasses and other large animal carcasses are not collectable and may not be place for curbside collection. *[4 O.C. 405.7-1(j)]*. ▪ Clarify it is prohibited to burn solid waste, dump, throw, or leave solid waste in unauthorized areas, in any way that creates a nuisance, or in any way that violates the Sustainable Materials Management Plan, other provisions of the Recycling and Solid Waste Disposal Law, the Public Peace Law, or any other law of the Nation. *[4 O.C. 405.9]*. ▪ Various grammatical changes and other minor drafting changes throughout the law.

Purpose	The purpose of this law is to set forth the process by which the Oneida Nation will reduce, manage, and dispose of recyclable materials and solid waste within the jurisdictional boundaries of the Nation. *[4 O.C. 405.1-1]*.
Affected Entities	The Oneida Nation Division of Public Works ("DPW"), the Oneida Nation Environmental, Land & Agriculture Division ("ELA"), the Oneida Police Department, the Oneida Nation Zoning Department, any present or future service provider, all residential and commercial properties within the Reservation who use the Nation's contracted service provider.
Enforcement	The Recycling and Solid Waste Disposal Law delegates authority to DPW and ELA to administer certain provisions of the law. *[4 O.C. 405.5-1]*. This authority includes: ▪ Overseeing the implementation and enforcement of this law and the Sustainable Materials Management Plan "(SMMP"). *[4 O.C. 405.5-1(a)]*. ▪ Hiring third-party service providers. *[4 O.C. 405.5-1(b)]*. ▪ Developing and amending the SMMP to be consistent with the Recycling and Solid Waste Disposal Law and at least once every five years. *[4 O.C. 405.5-1(c)*. ▪ Developing a fine and penalty schedule. *[4 O.C. 405.5-1(d)]*. ▪ Taking reasonable measures to ensure that the public is aware and informed of the requirements of this law and the SMMP. *[4 O.C. 405.5-1(e)]*. ▪ (f) conducting inspections and investigating complaints. *[4 O.C. 405.5-1(f)*. ▪ Determining if the storage or disposal of solid waste has created a nuisance. *[4 O.C. 405.5-1(g)]*. ▪ Issuing a citation to persons found in violation of this law. *[4 O.C. 405.5-1(h)]*. ▪ Making referrals to the Oneida Police Department, the Oneida Conservation Department, or the Zoning Department, when deemed necessary, for further investigation or enforcement consistent with this law. *[4 O.C. 405.5-1(i)]*. ▪ Notifying all customers of the Nation of the terms and conditions for collection. *[4 O.C. 405.5-1(j)]*. ▪ Making reasonable rules for the regulation and administration of this law as may be necessary for the proper storage, collection, removal, and disposal of solid waste within the Reservation. *[4 O.C. 405.5-1(k)]*.
Due Process	DPW, ELA, and the service provider are required to take reasonable measures to notify the public of the requirements of this law and the SMMP. *[4 O.C. 405.5-1(e)]*.

	Any person in doubt as to the proper preparation, handling, and disposal of any type of solid waste can contact DPW, ELA, or the service provider for instruction. *[4 O.C. 405.5-1(e)(1)]*. If solid wastes are not properly handled, prepared, contained, stored, or located, and the service provider does not collect, the service provider may leave notice explaining the reason for non-collection and allowing the customer time to correct, typically until the next collection. *[4 O.C. 405.5.10]*.
Public Meeting	A public meeting was held on February 12, 2026. The public comment period was held open until February 19, 2026.
Fiscal Impact	A fiscal impact statement prepared in accordance with the Legislative Procedures Act was requested on March 18, 2026, and is due April 1, 2026.

SECTION 2. LEGISLATIVE DEVELOPMENT

A. ***Background.*** The Recycling and Solid Waste Disposal Law was originally adopted by the Oneida Business Committee on December 14, 1994, through resolution BC-12-14-94-A. The law was subsequently amended by the Oneida Business Committee on February 15, 1995, through resolution BC-2-15-95-K and emergency amended by the Oneida Business Committee on November 11, 1998, through resolution BC-11-9-98-A. The Recycling and Solid Waste Disposal Law provides guidelines for the proper management of solid waste within the Reservation. *[4 O.C. 405.4; 405.5; 405.6; 405.7]*.

B. ***Request for Amendments.*** This item was originally added to the Active Files List on November 12, 2018, at the request of the Environmental, Health, Safety and Land Division, now named the Environmental Land & Agriculture Division, to address matters such as curbside recycling, illegal dumping, due process, and enforcement. This item was added to the Active Files list for a second time on October 7, 2020. This item was added to the Active Files list for a third time on October 4, 2023. The sponsors of the Recycling and Solid Waste Disposal Law amendments are Councilman Kirby Metoxen and Councilman Jonas Hill.

SECTION 3. CONSULTATION AND OUTREACH

- Representatives from the following departments or entities participated in the development of the amendments to this Law and legislative analysis:
  - Oneida Nation Division of Public Works ("DPW");
  - Oneida Nation Environmental, Land & Agriculture Division ("ELA"); and
  - Oneida Police Department.
- The following laws and policies of the Nation were reviewed in the drafting of this analysis:
  - Sustainable Materials Management Plan ("SMMP");
  - Zoning and Shoreland Protection Law *[6 O.C. 605]*; and
  - Public Peace Law *[3 O.C. 309]*.

SECTION 4. PROCESS

A. The amendments to this Law comply with the process set forth in the Legislative Procedures Act.

- On October 4, 2023, the Legislative Operating Committee added this Law to its Active Files List for amendments to this legislative term.
- On November 5, 2025, the Legislative Operating Committee approved the draft of the Recycling and Solid Waste Disposal Law Amendments and directed the Legislative Reference Office to complete a Legislative Analysis.
- On December 17, 2025, the Legislative Operating Committee accepted the Legislative Analysis and approved the public meeting packet for a public meeting to be held on the proposed amendments to the Recycling and Solid Waste Disposal Law to be held on February 12, 2026.
- On February 12, 2026, the Legislative Operating Committee held a public meeting. The public comment period was held open until February 19, 2026.
- On March 4, 2026, the Legislative Operating Committee accepted the public comments and the public comment review memorandum and deferred to a work meeting for further consideration.

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

- August 12, 2024: LOC work meeting with DPW, ELA, and the Oneida Police Department.
- August 22, 2024: LOC work meeting with DPW and ELA.
- August 23, 2024: LOC work meeting with LRO and Shannon Stone of DPW.
- September 5, 2024: LOC work meeting with DPW and ELA.
- October 24, 2024: LOC work meeting with DPW and ELA.
- December 4, 2024: LOC work meeting.
- January 28, 2025: LOC work meeting with DPW and ELA.
- March 5, 2025: LOC work meeting.
- March 31, 2025: LOC work meeting with DPW and ELA.
- April 21, 2025: LOC meeting with Ronald Vanschyndel of DPW.
- July 7, 2025: LOC work meeting with Ronald Vanschyndel of DPW.
- September 12, 2025: LOC work meeting with DPW and ELA.
- October 16, 2025: LOC work meeting with DPW and ELA where the LOC informally approved the final draft.
- March 4, 2026: LOC work session.

SECTION 5. CONTENTS OF THE LEGISLATION

A. ***Application of the Law.*** The proposed amendments improve the management of solid waste within the Reservation. *[4 O.C. 405.4]* The management of solid waste within the Reservation is clarified by defining "Customer" and "Service provider." *[4 O.C 405.3-1(a); (q)]*.

- *Effect.* The proposed amendments clarify that this law covers all residential and commercial properties within the Reservation who use the Nation's service provider. The Nation's service provider is defined as the company with whom the Nation contracts to provide collection services for the solid waste to be collected within the Reservation. These proposed amendments clarify the scope of the Nation's ability to regulate the management of solid waste within the Reservation which has a direct impact on the health, safety, and welfare of the community.

B. ***Defining "solid waste."*** The proposed amendments expand the definition of solid waste to include various categories of materials. *[4 O.C. 405.3-1(v)(a)-(e)]*.

- *Effect.* The proposed amendments expand the definition of solid waste by including five separate categories. Rather than distinguishing solid waste and recyclable materials, the proposed definition includes recyclable materials as one category of solid waste. By expanding the definition of solid waste to include more categories and more specific categories of waste materials, including recyclable materials which have previously been distinguished, the proposed amendments expand and clarify the application of this law and make it easier for the Nation, the service provider, and customers to identify its scope and application.

C. ***Applicable laws and policies.*** The proposed amendments clarify the proper handling, storage, collection, transportation, processing, recycling, and disposal of solid waste within the Reservation will be governed by this law, the Sustainable Materials Management Plan, and the applicable provision of the Resource Conservation and Recovery Act. *[4 O.C. 405.4]*.

- *Effect.* The proposed amendments clarify which laws and policies will govern, which expands the Nation's ability to self-govern.

D. ***Duty to notify.*** The proposed amendments require DPW, ELA, and the service provider to take reasonable measures to notify the public about the requirements of the law and the SMMP. *[4 O.C. 405.5(e)]*. In order to make the public aware of the requirements of this law DPW, ELA, and the service provider may send new customers the collection requirements, notify the public through publication, and make materials available at the offices of DPW and ELA. *Id*.

- *Effect.* The proposed amendments clarify the Nation must notify all customers within the Reservation of the requirements of this law and the SMMP. This requirement will make it easier for the Nation and the service provider to identify and enforce and easier for customers to identify what is required of them.

E. ***Special Collections.*** The proposed amendments require the Nation to schedule special collections and post the schedule on the Nation's website. *[4 O.C. 405.6-7]*.

- *Effect.* The proposed amendments clarify that although some items are considered non-collectable, the Nation will schedule and post on the Nation's website the collection of certain items.

F. ***Deer and large animal carcasses.*** The proposed amendments clarify the kinds of animal carcasses that are considered non-collectable. *[4 O.C. 405.7(j)]*. Rather than disallowing all dead animal carcasses the proposed amendment clarifies that deer carcasses and large animal carcasses weighing over one hundred (100) pounds would be considered non-collectable. *Id*.

- *Effect.* The proposed amendment clarifies the scope of dead animal carcasses that the Nation and its service provider will not accept as part of regular collections; allowing the Nation and its service provider more control over the types of materials it is required to collect and manage.

G. ***Prohibitions.*** The proposed amendments clarify prohibitions and what is not allowed of any person, not only customers of the Nation's service provider. *[4 O.C. 405.9]* It will be prohibited to:

- burn solid waste *[4 O.C. 405.9(a)]*;
- dump, dispose, throw, or leave solid waste:
  - in any waterway;
  - from a stopped or moving vehicle upon a highway, road, or right of way with the Reservation;
  - in any dumpster or waste bin that does not belong to that customer and not authorized for that customer's use;
  - within the Reservation in a location or manner not authorized by the SMMP or that would violate this law, the Public Peace law, or any other law of the Nation *[4 O.C. 405.9(c); (b); (d); (g)]*;

- store, handle, dump, deposit, leave, or throw solid waste in any way reasonably likely to cause a nuisance *[4 O.C. 405.9(e)]*; and
- neglect or refuse to clean up and remove from the premises any solid wastes that are stored in violation of this law and when ordered to do so by DPW, ELA, and the Oneida Police Department, or the Nation's Zoning Department. *[4 O.C. 405.9(f)]*.
- *Effect.* The proposed amendments allow the Nation to further ensure the health and safety of the Nation and the Reservation by disallowing certain activities of all people, not only the customers of the Nation's service provider.

H. ***Right to Refuse Collection and Right to Reject.*** The proposed amendments include a new section allowing the Nation's service provider to refuse collection if solid waste is not properly handled, prepared, contained, stored, or located. *[4 O.C. 405.10]*. The proposed amendment further clarifies that the service provider may leave notice explaining the reason for not collecting and allowing the person time to correct. *[4 O.C. 405.10-1(a)]*. If the person has not corrected by the next collection cycle, the proposed amendment authorizes the service provider to notify DPW for enforcement under the law. *[4 O.C. 405.10-1(b)]*.

- *Effect.* The proposed amendment strengthens the Nation's ability to enforce the collection and management of solid waste within the Reservation. The proposed amendments also require the Nation to notify all persons who use the Nation's service provider of the requirements of collections. This proposed amendment then allows the Nation's to enforce the requirements of collections.

I. ***Other amendments***. Overall, a variety of other amendments and revisions were made to the law to address formatting, drafting style, and organization that did not affect the substance of the law.

SECTION 6. EXISTING LEGISLATION

A. ***Related legislation.*** The following laws of the Nation are related to the proposed amendments to this law:

- *Zoning and Shoreland Protection.* The purpose of the Zoning and Shoreland Protection law is to establish a zoning plan for tribal lands held in trust and fee, heirship lands, and individual trust and fee lands within the Reservation by dividing the Reservation into districts, regulate the use of land and buildings on lots and the density of the population, and provide for the administration and enforcement of this law, assist in guiding the future development of the Reservation and protect the character and stability of residential, commercial, industrial, agricultural, and other districts within the Reservation, and assure the orderly and beneficial development of such areas. *[6 O.C. 605.1-1]*.
    - The Zoning and Shoreland Protection law defines "Public nuisance" as "a thing, act, occupation, condition, or use of property which continues for such length of time as to: (1) substantially annoy, injured, or endanger the comfort, health, repose, or safety of the public; (2) [i]n any way render the public insecure in life or in the use of property; or (3) [g]reatly offend the public morals or decency; or (4) [u]nlawfully and substantially interfere with, obstruct, or tend to obstruct or render dangerous for passage any street, alley, highway, navigable waters or other public way, or the use of public property." *[6 O.C. 605.3-1(iiiii)]*.
    - According to the Zoning and Shoreland Protection law a person commits a public nuisance "by using or maintaining their property in any manner which endangers the

public's health, safety[,] or welfare, limits the use or enjoyment of neighboring property, or causes or tends to cause diminution of the value of the property of others in the are in which such property is located." *[6 O.C. 605.6-12]*.

- According to the Zoning and Shoreland Protection law the Zoning Administrator is responsible for the administration and enforcement of this law and responsible for determining whether a public nuisance exists. *[6 O.C. 605.3-1(xxxxxx); 605.6-12(a)]*.
- The Zoning and Shoreland Protection law categorizes public nuisances into the following categories:
  - storage of chemicals;
  - outdoor storage and waste disposal;
  - noise;
  - emission smoke;
  - emission of particulate matter, heat and glare;
  - toxic and noxious matter;
  - radioactivity or electrical disturbance;
  - vibration;
  - storage of vehicles;
  - other public nuisances;
  - weeds and rank growth;
  - exterior storage of supplies;
  - building exteriors; and
  - other public nuisances. *[6 O.C. 605.6-12(b)-(p)]*.
- The proposed amendments align with the Zoning and Shoreland Protection law by strengthening the Nation's ability to monitor and enforce any activity identified as a nuisance; either through the Zoning and Shoreland Protection law or the proposed amendments to the Recycling and Solid Waste Disposal Law. *[6 O.C. 605.6-12; 4 O.C. 405.5-1(g)]*.

- *Public Peace Law.* The purpose of the Public Peace law is to set forth community standards and expectations which preserve the peace, harmony, safety, health, and general welfare of individuals who live within the boundaries of the Reservation. *[3 O.C. 309.1-1]*. The Public Peace law's underlying policy is to promote peace and order within the boundaries of the Reservation while also providing an orderly process for addressing civil infractions that occur. *[3 O.C. 309.1-2]*.
  - According to the Public Peace law, a person commits the civil infraction of nuisance whenever they engage in a thing, act, occupation, condition, or use of property which continues for such length of time as to:
    - substantially annoy, injure, or endanger the comfort, health, repose, or safety of the public;
    - in any way render the public insecure in life or in the use of property; or
    - greatly offend the public morals or decency. *[3 O.C. 309.6-6]*.
  - According to the Public Peace law a person commits the civil infraction of maintaining a chronic nuisance house if they have three (3) or more police contacts during a twelve (12) month period at the premises they own or occupy through a lease or rental agreement. *[3 O.C. 309.6-7]*.

- According to the Public Peace law a person can commit the following infractions against health and safety:
  - Littering: the depositing, throwing, dumping, discarding, and abandoning of litter.
    - Litter is defined as all rubbish, waste materials, refuse, garbage, trash debris, or other foreign substances, solid, liquid, or every form, size, and kind. *[3 O.C. 309.10-1]*.
  - Unsightly area: allowing any scrap, refuse, junk, salvage, rubbish or property within the exterior boundaries of the Reservation that creates unsightly areas or contributes to health and safety hazards. *[3 O.C. 309.10-2]*.
- If the Oneida Police Department determines an individual has violated a provision of the Public Peace law, the individual may be subject to a citation, including fines and other penalties. *[3 O.C. 309.11]*.
- The proposed amendments align with the Public Peace law by strengthening the Nation's ability to monitor and enforce any activity identified as a nuisance; either through the Public Peace law or the proposed amendments to the Recycling and Solid Waste Disposal Law. *[6 O.C. 605.6-12; 4 O.C. 405.5-1(g)]*.
  - The proposed amendments align with the Public Peace law by prohibiting nuisance activities and requiring DPW and ELA to determine if the storage or disposal of solid waste has created a nuisance. *[4 O.C. 405.1-1(g)]*.
  - The proposed amendments further align with the Public Peace law because like the Public Peace law, the Oneida Police Department and the Oneida Zoning Department have the authority to investigate complaints and referrals, obtain search warrants and conduct inspections and issue citations. *[4 O.C. 405.5-2]*.

- *Citations Law.* The purpose of the Citations law is to provide a process that governs all citations that fall under the jurisdiction of the Oneida Nation. *[8 O.C. 708.1-1]*.
  - According to the Citations law an officer may issue a citation to any person they have reasonable grounds to believe has committed a violation of a law of the Nation that expressly permits the issuance of a citation. *[8 O.C. 807.4-2]*.
  - When an officer issues a citation, a civil action in the Oneida judiciary is commenced for the purposes of collecting a fine or penalty. *[8 O.C. 807.4-1]*.
  - The Citations law requires the citation contain specific information, be served on the defendant, and be filed with the Oneida judiciary. *[8 O.C. 807.4-3; 807.4-4; 807.4-5]*.
  - The Citations law contains the requirements of hearing procedures *[8 O.C. 807.6]*.
  - The proposed amendments align with Citations law by enhancing the Nation's ability to monitor, investigate, and enforce violations of the Nation's law, especially violations that may impact the health, safety, and welfare of the Reservation. *[8 O.C. 807.1-1].*

B. ***Related Policy.*** The following policy of the Nation is related to the proposed amendments to this law:

- *Sustainable Materials Management Plan.* The purpose of this policy is to:
  - Implement effective materials management practice, including source-reduction and recycling programs and planning and developing future materials management activities. *[Environmental Health, Safety, Land, and Agriculture Division, Sustainable Materials Management Plan (2023)]*.
  - Describe the community and service areas, including demographic, geographic, and waste generation characteristics. *[Id]*.

- Describe the Nation's administrative structure, including its framework for implementing waste and recycling services and programs. *[Id]*.
- Document existing materials management programs and conditions. *[Id]*.
- Present proposed materials management practice and alternatives to improve the performance of the Nation's materials management system. *[Id]*.
- Identify the preferred short-term and long-term actions by the Nation to implement responsible and sustainable materials management practices, including strategies to address persistent materials management challenges. *[Id]*.
- Guide planning decisions that improve the performance of the Nation's materials management system. *[Id]*.
- Describe the Nation's process of adopting the plan. *[Id]*.
- This policy provides detailed information on how the Nation will manage all solid waste generated and collected within the Reservation. *[Id]*.
- The proposed amendments align with the Sustainable Materials Management Plan by creating an overarching framework for the management and collection of solid waste generated within the Reservation. The policy provides detailed information and guidance on how the Nation will manage and collect solid waste; the proposed amendments provide the larger framework of requirements. The proposed amendments require the SMMP to be amended at least once every five years and in a manner consistent with the Recycling and Solid Waste Disposal Law.

C. ***Related Service Agreement.*** The following service agreement between the Nation and Brown County, Wisconsin is related to the proposed amendments to this law:

- *Solid Waste Management Services Agreement*. The purpose of the Solid Waste Management Services Agreement ("the Agreement") is to:
  - regulate the storage, transfer, source separation, processing, treatment, recovery, and disposal of Solid Waste, Recycling, and household hazardous waste between the Oneida Nation and Brown County, Wisconsin. *[Port & Resource Recovery Department and the Oneida Nation, Solid Waste Management Service Agreement (2022)]*.
  - The proposed amendments align with the Agreement by maintaining standards and requirements for the collection and disposal of all solid waste within the Reservation.

SECTION 7. ENFORCEMENT AND ACCOUNTABILITY

A. The Recycling and Solid Waste Disposal Law gives authority to the Nation's Department of Public Works and the Nation's Environmental Land & Agriculture Department to administer the provisions of the law, including the authority to make referrals to the Oneida Police Department and the Nation's Zoning Department for further investigation and enforcement. *[4 O.C. 405.5]*.

B. The Recycling and Solid Waste Disposal Law clarifies and enumerates the authority of DPW and ELA. *[4 O.C. 405.5-1]*. DPW and ELA shall be delegated the authority to administer the provisions of the law, including the authority to:

- oversee the implementation and enforcement of this law and the SMMP, including the authority to delegate certain of those duties to other agencies of the Nation or to third-party service providers for implementation;
- follow the Nation's RFP process for the procurement of third-party service providers;

- develop and amend the SMMP to be consistent with this law and at least once every five years and subject to approval by the Oneida Business Committee through resolution;
- develop a fine and penalty schedule;
- take reasonable measures to ensure that the public is aware and informed of the requirements of this law and the SMMP which may include sending new customers collection requirements, notifying the public through publication and making information available to the public for inspection at the offices of DPW or ELA during normal business hours;
- conduct inspections and investigate complaints, to ensure that solid waste is managed in accordance with this law and the SMMP;
- determine if the storage or disposal of solid waste has created a nuisance;
- issue a citation to persons found in violation of any provision of this law in an amount set forth in the fine and penalty schedule adopted by resolution of the Oneida Business Committee and pursuant to the Nation's Citation Law;
- make referrals to the Oneida Police Department, the Oneida Conservation Department, or the Zoning Department, when deemed necessary, for further investigation or enforcement consistent with this law;
- notify all customers of the Nation of the terms and conditions for collection; and
- make reasonable rules for the regulation and administration of this law as may be necessary for the proper storage, collection, removal, and disposal of solid waste within the Reservation.

C. The Recycling and Solid Waste Disposal Law requires the Nation to handle, store, collect, transport, transfer, process, recycle, and dispose of solid waste generated and collected within the Reservation in accordance with the provisions of the law, the most current version of the SMMP, and applicable provisions of the Resource Conservation and Recovery Act, a Federal law. *[4 O.C. 405.4].*

D. The Recycling and Solid Waste Disposal Law requires the SMMP to be interpreted in a manner consistent with the law to the greatest extent possible. *[4 O.C. 405.4-1(b)]*.

E. The Recycling and Solid Waste Disposal Law clarifies it will supersede the SMMP if there is an irreconcilable conflict between a provision of the Solid Waste Disposal Law and the SMMP. *[4 O.C. 405.4-1(b)(1)]*.

F. The Recycling and Solid Waste Disposal Law delegates authority to the Oneida Police Department to enforce the provisions of the law, including:

- investigating complaints and referrals from DPW or ELA for suspected violations of this law;
- obtaining a search warrant and conducting inspections if necessary to enforce the provisions of this law; and
- issuing citations consistent with the fine and penalty schedule developed by DPW and ELA. *[4 O.C 405.5-2]*.

G. The Recycling and Solid Waste Disposal Law authorizes the service provider to refuse collection if solid waste is not properly handled, prepared, contained, stored, or located. *[4 O.C. 405.10]*.

H. If the service provider determines solid wastes have not been properly handled, prepared, contained, stored, or located and does not collect, the law requires the service provider to leave notice explaining the reason for non-collection and allowing the customer time to correct. *[4 O.C. 405.10-1(a)]*.

I. If the customer has not corrected, the Law authorizes the service provider to notify DPW for further enforcement under the law. *[4 O.C. 405.10-1(b)]*.

SECTION 8. OTHER CONSIDERATIONS

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

- *Conclusion*. On March 18, 2026, the Legislative Operating Committee directed that a fiscal impact be completed by the Finance Administration by April 1, 2026.

Oneida Nation
Oneida Business Committee
Legislative Operating Committee
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Oneida-nsn.gov

TO:	Ralinda Ninham-Lamberies, Chief Financial Officer Lawrence Barton, Oneida Business Committee Treasurer
FROM:	Jameson Wilson, Legislative Operating Committee Chairman
DATE:	March 18, 2026
RE:	Recycling and Solid Waste Disposal Law Amendments Fiscal Impact Statement

The Legislative Operating Committee (LOC) is currently developing amendments to the Recycling and Solid Waste Disposal Law. The Legislative Procedures Act requires that a fiscal impact statement be provided for all proposed legislation of the Nation. *[1 O.C. 109.6-1]*. The fiscal impact statement is an estimate of the total fiscal year financial effects associated with the proposed legislation, and should include:

- startup costs;
- personnel;
- office costs;
- documentation costs; and
- an estimate of the amount of time necessary for an individual or agency to comply with the law after implementation. *[1 O.C. 109.3-1(c)]*.

The fiscal impact statement must be completed and submitted to the LOC prior to the proposed legislation being forwarded to the Oneida Business Committee for consideration. *[1 O.C. 109.6-2]*. The fiscal impact statement provides the Oneida Business Committee information on what the potential adoption of the proposed legislation will cost the Nation, so that the Oneida Business Committee can determine if adoption of the proposed legislation is in the best interest of the Nation.

The Legislative Procedures Act grants the LOC the authority to direct the Finance Administration or any agency who may administer a program if the legislation is enacted or may have financial information concerning the subject matter of the legislation to submit a fiscal impact statement. *[1 O.C. 109.6-1]*.

Oneida Business Committee resolution BC-10-28-20-A titled, "*Further Interpretation of 'Fiscal Impact Statement' in the Legislative Procedures Act*" provides further clarification on the process for directing a fiscal impact statement be completed. This resolution provides that upon final approval of draft legislation by the LOC, the LOC may direct the Finance Administration to provide a neutral and unbiased fiscal impact statement to the LOC within ten (10) business days for inclusion in adoption materials.

On November 5, 2025, the Legislative Operating Committee approved the final draft of the proposed amendments to the Recycling and Solid Waste Disposal Law. Therefore, the LOC is directing the Finance Administration to provide a fiscal impact statement on the proposed amendments to the Recycling and Solid Waste Disposal Law by April 1, 2026.

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A copy of the proposed amendments to the Recycling the Solid Waste Disposal Law, as well as the legislative analysis, have been attached to this memorandum for your convenience.

Requested Action
Provide the LOC a fiscal impact statement of the proposed amendments to the Recycling and Solid Waste Disposal Law by Wednesday, April 1, 2026.

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Legislative Operating Committee
March 18, 2026

Budget and Finances Law Amendments

Submission Date: 3/6/24	**Public Meeting:** 2/12/26
LOC Sponsor: Jennifer Webster	**Emergency Enacted:** N/A

Summary: *This item was added to the Active Files List on March 6, 2024. Resolution BC-05-11-22-B, Amendments to the Budget Management and Control Law, included a directive that the Legislative Reference Office collaborate with the Nation's Treasurer and Chief Financial Officer to conduct a one (1) year review of the Budget and Finances law and provide the Oneida Business Committee a report on the use and implementation of the Law. The Legislative Reference Office and Legislative Operating Committee met with the Nation's Treasurer and Chief Financial Officer on February 7, 2024, to review and discuss how the implementation and utilization of the Budget and Finance law has fared since the most recent amendments were adopted in May of 2022. Through the discussions with the Nation's Treasurer and Chief Financial Officer it was determined that there are potential amendments to the Budget and Finances law that would be beneficial to the Nation to make. The Nation's Treasurer and Chief Financial Officer recommended that the Legislative Operating Committee consider adding the Budget and Finances law to its Active Files List for amendments to be made.*

3/6/24 LOC: Motion by Jonas Hill to add Budget and Finances law amendments to the Active Files List with Jennifer Webster as the sponsor; seconded by Jennifer Webster. Motion carried unanimously.

3/20/24: *Work Meeting*. Present: Jameson Wilson, Jennifer Webster, Jonas Hill, Marlon Skenandore, Clorissa Leeman, Grace Elliott, Fawn Cottrell, Kristal Hill, Maureen Perkins. The purpose of this work session was for the LOC to discuss and determine a priority for this legislative item.

7/2/25 LOC: Motion by Jennifer Webster to accept the request for amendments to the Budget and Finances law as information, noting the Budget and Finances law is already on the Active Files List for amendments; seconded by Marlon Skenandore. Motion carried unanimously.

7/21/25: *Work Meeting*. Present: Jameson Wilson, Jennifer Webster, Kirby Metoxen, Jonas Hill, Clorissa Leeman, Lawrence Barton, Ralinda Ninham-Lamberies, Melissa Alvarado, Fawn Billie, Fawn Cottrell, Kristal Hill. The purpose of this work meeting was to review and discuss potential amendments to the law.

8/18/25: *Work Meeting*. Present: Jonas Hill, Jameson Wilson, Clorissa Leeman, Lawrence Barton, Ralinda Ninham-Lamberies, Melissa Alvarado, Kristal Hill, Fawn Cottrell, Rhiannon Metoxen. The purpose of this work meeting was to continue the review and discussion of potential amendments to this law.

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10/3/25: *Work Meeting*. Present: Jameson Wilson, Jennifer Webster, Kirby Metoxen, Clorissa Leeman, Lawrence Barton, Ralinda Ninham-Lamberies, Melissa Alvarado, Fawn Billie, Fawn Cottrell. The purpose of this work meeting was to review the updated draft of amendments to the law.

10/15/25 LOC: Motion by Jennifer Webster to approve the draft of the proposed amendments to the Budget and Finances law; seconded by Kirby Metoxen. Motion carried unanimously.

11/5/25 LOC: Motion by Jonas Hill to approve the updated draft and legislative analysis of the proposed amendments to the Budget and Finances law; seconded by Kirby Metoxen. Motion carried unanimously.

12/17/25 LOC: Motion by Jonas Hill to approve the public meeting packet and schedule a public meeting for the proposed Budget and Finances Law Amendments to be held on February 12, 2026; seconded by Marlon Skenandore. Motion carried unanimously.

2/12/26: *Public Meeting Held*. Present: Jennifer Webster, Nancy Barton, Cathy Metoxen. Present on Microsoft Teams: Ashley Wright, Ashley Blaker, Brooke Doxtator, Carrie Lindsey, Chad Fuss, Dana Thyssen, Danielle White, David Jordan, Debra Santiago, Debra Powless, Derrick King, Eliza Skenandore, Eric Bristol, Eric Krawczyk, Eric McLester, Gregory Matson, Heather Jordan, Hudson Denny, James Petitjean, James Snitgen, Jason Martinez, Jeremy King, John Danforth, John Christjohn Jr, Joshua Cornelius, Krystal John, Leslie Lamberies, Luke Schwab, Mae Cornelius, Mark Powless, Mary Graves, Melissa Alvarado, Michelle Miller, Michelle Tipple, Nicholas Anderson, Ronal Van Schyndel, Sarah Miller, Sarah White, Shannon Stone, Sidney White, Tanya Danforth, Thurston Denny, Tonya Webster, Troy Parr, James Sommerfeldt, Jason Doxtator, Kimberly Skenandore Goodrich, Tina Jorgensen, Bridget John, Courtney Georgia, Diana Hernandez, Eric Boulanger, Jamie Willis, Jennifer Berg, Lisa Liggins, Lorna Skenandore, Mercie Danforth, Nicholas Reynolds, Paul Witek, Shannon Davis, Whitney Wheelock, Clorissa Leeman, Carolyn Salutz. One (1) individual provided oral comments during the public meeting.

2/19/26: *Public Comment Period Closed*. One (1) individual provided written comments during the public comment period.

3/4/26 LOC: Motion by Jennifer Webster to accept the public comments and the public comment review memorandum and defer to a work meeting for further consideration; seconded by Jonas Hill. Motion carried unanimously.

3/4/26: *Work Meeting*. Present: Jameson Wilson, Jennifer Webster, Jonas Hill, Kirby Metoxen, Clorissa Leeman, Fawn Cottrell, Kristal Hill, Rhiannon Metoxen, Carolyn Salutz, Grace Elliott. The purpose of this work meeting was to review and consider the public comments received.

3/12/26: *Work Meeting*. Present: Jameson Wilson, Jennifer Webster, Clorissa Leeman, Ralinda Ninham-Lamberies, Kristal Hill, Fawn Cottrell, Grace Elliott, Carolyn Salutz. The purpose of this work meeting was to further consider the public comment regarding unspent capital improvement funds.

Next Steps:

- Approve the updated public comment review memorandum, legislative analysis, and draft.
- 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 April 9, 2026.

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TO: Legislative Operating Committee (LOC)
FROM: Clorissa N. Leeman, Legislative Reference Office, Senior Staff Attorney
DATE: March 18, 2026
RE: Budget and Finances Law Amendments: Public Comment Review with LOC Consideration

On February 12, 2026, a public meeting was held regarding the proposed amendments to the Budget and Finances law. One (1) individual provided oral comments during the public meeting. The public comment period was then held open until February 19, 2026. One (1) submission of written comments was received during the public comment period. The Legislative Operating Committee reviewed and considered the public comments on March 4, 2026, and March 12, 2026. This memorandum is submitted as the Legislative Operating Committee's consideration of the comments received during the public meeting and public comment period.

Comment 1 – Opportunity for Input:

121.5. Budget

121.5-4. *Budget Adoption Procedure*. The Nation shall develop and adopt its budget according to the following procedures:

(a) *Budget Schedule and Guidelines*. The Treasurer shall develop the necessary guidelines, including specific timelines and deadlines, to be followed by the managers that have budget responsibility in preparing and submitting proposed budgets. The Treasurer shall submit the guidelines to the Oneida Business Committee for review and approval through the adoption of a resolution no later than March 1st of each calendar year.

(1) The budget schedule and guidelines shall include at least one (1) opportunity for community input from the Nation's membership on what should be included in the upcoming fiscal year budget.

(d) *Community Meetings*. Once the Oneida Business Committee has approved the final draft budget, the Treasurer shall hold, at a minimum, two (2) community informational meetings to present the contents of the final draft budget that will be presented to the General Tribal Council.

Nancy Barton (oral): Okay. Thank you. Okay. The first one that I'll comment on is on the Budget and Finances law amendments, and in here it says clarify the responsibilities of the Business Committee, Treasurer, CFO, Executive Managers and fund units. And then it goes down further to establish adoptions of the process, such as deadlines and budget compilations, and address what information is required to be provided in the Nation's budget. But you forgot one important component and that was GTC. and we're always left last. We come when the budget has been compiled and we're allowed to offer comments. There are public, I guess, forums or meetings that are held at SEOTS and I believe two (2) separate meetings here, but I don't believe that, that in that forum that we're allowed to change or modify anything in the budget and then also there were comments regarding specific items in the budget and we, I will say we were not allowed to address

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those because they were considered personnel issues, including people punching in and punching out for work and also um specific departments that we felt, I felt, were over inflated. So I would appreciate it if this budget process would include members of GTC from the very beginning so that you know, our voices are heard. And that line items and programs that are in the budget can be modified or deleted.

Response

The commenter provides that she believes that the Budget and Finances law should include the General Tribal Council and the opinions of the community in the beginning of the budget process and not just once a budget has been compiled.

The Budget and Finances law sets forth the requirements to be followed by the Oneida Business Committee and the Oneida fund units when preparing the budget to be presented to the General Tribal Council for approval, and to establish financial policies and procedures for the Nation. *[1 O.C. 121.1-1]*. The Nation is required to develop, adopt, and manage an annual budget. *[1 O.C. 121.5-1]*. All revenues and expenditures of the Nation are required to be made in accordance with the annual budget. *Id*. The Nation's annual budget is required to be a balanced budget, which does not propose to spend more funds than are reasonably expected to become available to the Nation during that fiscal year. *Id*. The Budget and Finances law provides for the process and procedures to be used for the development and adoption of the Nation's budget. *[1 O.C. 121.5-4]*.

The Budget and Finances law requires that the Treasurer develop the necessary guidelines, including specific timelines and deadlines, to be followed by the managers that have budget responsibility in preparing and submitting proposed budgets, and that the Treasurer then submit those guidelines to the Oneida Business Committee for review and approval through the adoption of a resolution. *[1 O.C. 121.5-4(a)]*. The Treasurer is required to identify in the budget guidelines a percentage of an increase or decrease in a fund unit's budget from the prior year budget that is required to be noticed to the Oneida Business Committee. *[1 O.C. 121.5-4(b)(1)]*. The budget schedule and guidelines developed by the Treasurer are required to include at least one (1) opportunity for community input from the Nation's membership on what should be included in the upcoming fiscal year budget. *[1 O.C. 121.5-4(a)(1)]*. Each fund unit shall be responsible for complying with the budget schedule and guidelines to submit a proposed budget to the Treasurer. *[1 O.C. 121.5-4(a)(2)]*. The Chief Financial Officer ("CFO") is then required to receive, review, and compile the proposed budgets from all the fund units into the Nation's draft budget, and then the CFO and Treasurer are to present the Nation's draft budget to the Oneida Business Committee for review each year to ensure that it is consistent with the Nation's priorities. *[1 O.C. 121.5-4(b)]*. The Budget and Finances law then requires the Oneida Business Committee to work with the Treasurer, CFO, managers, or other appropriate entity to compile a final draft budget to be presented to the General Tribal Council. *[1 O.C. 121.5-4(c)].* The Oneida Business Committee is then required to approve, by resolution, the final draft budget to be presented to the General Tribal Council. *Id.* Once the Oneida Business Committee has approved the final draft budget, the Treasurer is required to hold, at a minimum, two (2) community informational meetings to present the contents of the final draft budget that will be presented to the General Tribal Council. *[1 O.C. 121.5-4(d)]*. The Oneida Business Committee is then required to present the budget to the General

Tribal Council with a request for adoption by resolution no later than September 30th of each year, with the General Tribal Council responsible for adopting the Nation's budget. *[1 O.C. 121.5-4(e)]*.

The budget adoption process provided in the Budget and Finances law does already require that the Nation's membership be provided an opportunity to provide input on what should be included in the budget before the individual budgets are made or compiled. The budget schedule and guidelines developed by the Treasurer are required to include at least one (1) opportunity for community input from the Nation's membership on what should be included in the upcoming fiscal year budget. *[1 O.C. 121.5-4(a)(1)]*. The budget adoption process also requires that the membership have an opportunity to learn more about the budget contents after it is approved by the Oneida Business Committee since once the Oneida Business Committee has approved the final draft budget, the Treasurer is required to hold, at a minimum, two (2) community informational meetings to present the contents of the final draft budget that will be presented to the General Tribal Council. *[1 O.C. 121.5-4(d)]*.

Since the Budget and Finances law does provide an opportunity for the Nation's membership to provide comments on a budget prior to a budget actually being compiled, as is requested by the commenter, there is no recommended revision to the proposed Budget and Finances law amendments based on this comment.

LOC Consideration

The Legislative Operating Committee agreed that since the Budget and Finances law does provide an opportunity for the Nation's membership to provide comments on the budget prior to the budget being compiled, no revision to the Law is needed based on this comment.

The Legislative Operating Committee highlighted that resolution BC-02-25-26-B, *Fiscal Year 2027 Budget Considerations and Calendar*, provides the dates for community meetings on the Fiscal Year 2027 budget – both the meetings that occur before the budget is compiled and the meetings that occur once a final budget is approved. The budget calendar provided in resolution BC-02-25-26-B provided that community input sessions would be held on March 3, 2026, at SEOTS, and then again on March 9, 2026, at the Oneida Hotel. Additional community meetings on the approved budget would be held on August 10, 2026, at SEOTS, and then again on August 20, 2026, in Oneida. Resolution BC-02-25-26-B includes the following budget calendar:

NOW THEREFORE BE IT RESOLVED, the Oneida Business Committee hereby approves the following budget considerations and calendar:

Budget Calendar

Date	Activity	Responsible Party
2/25/2026	BC approves calendar and guidelines	BC
3/2/2026	Budget Kick Off Meeting	BC/CFO/Budget Mgr
3/9/2026	Payroll Reports Submitted to B.U.	Budget Mgr
3/3/2026 3/9/2026	Community Input Session at SEOTS Community Input Session at Oneida Hotel	All
4/1/2026 – 4/28/2026	Budget Refresher/ Training	Budget Mgr
5/18/26	FY2027 Budget Closes	All
6/1/2026	FY2027 Budget Consolidation, First Draft completed sent to BC/CEOs/CFO	Budget Mgr
6/3/2026	FY2028-FY2029 Budget Closes	All
6/24/2026	BC Approves Budget Packet Information	BC
8/10/2026 – 8/20/2026	Community Mtgs SEOTS Community Mtg Oneida	BC/CFO/Budget Mgr
8/24/2026	GTC Meeting to present FY2027 Budget	GTC

Comment 2 – Supplemental Funding:

121.6. Expenditures and Assets
121.6-3. *Unbudgeted Expenditures.*

> **(c) *Unbudgeted Supplemental Funding*. In the event that the Nation receives any supplemental or emergency funding of two hundred and fifty thousand dollars ($250,000) or more, the Oneida Business Committee shall develop and adopt, through resolution, a spending plan to guide expenditures of the supplemental funding in accordance with any provided guidance for the supplemental funding and audit compliance.**

Nancy Barton (oral): Also, I wanted to comment about, you know. additions to the budget. And there are things that are not included in the budget, and so I had to make a motion at GTC regarding the COVID money, the ARPA TC savings report be included in the budget report and also the semi annual and annual reports so that we can monitor where that money is going and where it's being spent. And also any, and the current one is the opioid lawsuit settlement money that a report come regarding that pot of money because it's not considered actually in the budget. It's a kind of a separate little, you know, item, but I I think it's important that it needs to be in included and you know.

Response

The commenter provides that there is funding that the Nation receives that is not technically included or provided for in the budget, but this funding should be provided for in the budget so the membership has the opportunity to learn how the money is being allocated and comment on that allocation.

The Budget and Finances law does address situations in which the Nation receives funding that is not accounted for in the Nation's budget. The Budget and Finances law provides that in the event that the Nation receives any supplemental or emergency funding of two hundred and fifty thousand dollars ($250,000) or more, the Oneida Business Committee is required to develop and adopt, through resolution, a spending plan to guide expenditures of the supplemental funding in accordance with any provided guidance for the supplemental funding and audit compliance. *[1 O.C. 121.6-3(c)]*. Requiring that there be a supplemental funding spending plan adopted through resolution ensures that there is a transparent process for planning for the use of any supplemental funding that allows the community an opportunity to ask questions and learn more by attending the Oneida Business Committee meeting in which the supplemental funding resolution is on the agenda.

Because the Budget and Finances law does already address how supplemental funding is handled by the Nation, there is no revision to the proposed Budget and Finances law amendments recommended based on this comment.

LOC Consideration

The Legislative Operating Committee determined that no revision to the Law would be necessary based on this comment due to the fact that the Law already adequately addresses how supplemental funding is handled by the Nation and requires a transparent spending plan to be developed.

Comment 3 – Financial Dealings of Corporations:

121.5. Budget
121.5-1. The Nation shall develop, adopt, and manage an annual budget. All revenues and expenditures of the Nation shall be in accordance with the annual budget.

(a) The Nation's budget shall be a balanced budget and not propose to spend more funds than are reasonably expected to become available to the Nation during that fiscal year.

(1) Underwriting debt resources or the utilization of existing debt instruments shall be expressly prohibited from use to balance the Nation's annual operational budget.

(b) The budget shall align with any strategic plan, broad goals, or priorities developed and adopted by the Oneida Business Committee on behalf of the Nation.

(c) The Nation's corporate entities shall not be included in the Nation's budget.

121.6. Expenditures and Assets
121.6-6. *Capital Contributions*. Any capital contributions made by the Nation shall be identified in the annual budget.

(a) Any reassignment of a loan provided by the Nation into a capital contribution shall be noticed to the General Tribal Council.

Nancy Barton (oral): We've just recently faced a serious issue regarding one of our corporations. You know, we've been told that we cannot pierce the corporate veil, that those reports come under executive session or however they're reported. But if you're using Oneida's name and and you used our money to form your company, I think that General Tribal Council as stockholders should be quite be required or be allowed to have that information. So those are all of my comments that I had regarding the Budget and Finances law amendments.

Response

The commenter expresses dissatisfaction with the fact that corporations are separate from the Nation's budget and financial dealings, and believes that the General Tribal Council should have the right to obtain information on the financial dealings of the Nation's corporations.

The Budget and Finance law provides that the Nation's corporate entities are not included in the Nation's budget. *[1 O.C. 121.5-1(c)]*. But the Budget and Finances law does address capital contributions made to corporations. Capital contributions are an act of giving money or assets to a company or organization. *[1 O.C. 121.3-1(b)]*. The Budget and Finances law requires that any capital contributions made by the Nation be identified in the annual budget. *[1 O.C. 121.6-6]*.

Furthermore, any reassignment of a loan provided by the Nation into a capital contribution is required to be noticed to the General Tribal Council. *[1 O.C. 121.6-6(a)]*.

Although the budget of corporate entities are separate from the overall budget of the Nation, the Nation is required to include in its own budget or notify the General Tribal Council of capital contributions. There is no revision to the proposed Budget and Finances law amendments based on this comment.

LOC Consideration

The Legislative Operating Committee ultimately agreed that there is no revision to the proposed Law needed based on this comment – as it is important that there is separation between the budget of the Nation and the budgets of its Tribally chartered entities. The Legislative Operating Committee also discussed the fact that if any community member has questions regarding a Tribally chartered entity, they should reach out to the Oneida Business Committee liaison for that entity. The Nation's website provides information on each Tribally chartered entity, its members, the Oneida Business Committee liaison, and the governing documents at the following link: https://oneida-nsn.gov/government/triballycharteredentities/

The Legislative Operating Committee also discussed clarifying the commenter's statement that the General Tribal Council members are the "stockholders" of the Tribally chartered entities. Specifically looking at Oneida ESC Group, LLC, which was the entity referenced by the commenter – if you look at the Operating Agreement, this document provides that the "Initial Member" of the company is the Oneida Nation, as represented by the Oneida Business Committee. The General Tribal Council is not involved in the management of this entity. The Operating Agreement then goes on to provide information on how the Nation manages the company through a Board of Managers, and reporting requirements for both the Oneida Business Committee and the General Tribal Council.

Comment 4 – Unexpended CIP Funds:

121.6. Expenditures and Assets
121.6-5. *Unexpended Capital Improvement Funds*. Unexpended capital improvement funds shall carry over at the end of each fiscal year and remain available for use, provided that such funds are required to remain appropriated for the same purpose as originally budgeted until the project is complete. Once a capital improvement project is complete, any remaining unexpended funds shall be returned to the General Fund.

Paul J. Witek (written): With the recent dialogue of GTC on incremental funding allocations for Capital Improvement Process (CIP) projects, I am suggesting that unexpended CIP funds could be returned to the CIP Budget under the CIP set aside started in the FY2025 CIP budget, rather than sent to the General Fund as currently noted in the law. Funding allocations out of the new CIP Set aside would only be done for projects approved through the Capital Improvement Process and would require Business Committee approval of the allocation.

Suggested language revisions may be:

From DRAFT language of law, starting at line 247:

121.6-5. *Unexpended Capital Improvement Funds*. Unexpended capital improvement funds shall carry over at the end of each fiscal year and remain available for use, provided that such funds are required to remain appropriated for the same purpose as originally budgeted until the project is complete. Once a capital improvement project is complete, any remaining unexpended funds shall be returned to the ~~General Fund~~ Capital Improvement Process Set-Aside Fund.

(a) The Capital Improvement Process Set-Aside Fund shall only be available to approved Capital Improvement Process projects and shall require Oneida Business Committee approval of the funding allocation to the specific Capital Improvement Process project.

Thank you for allowing me to comment on the proposed law amendments.

yaw^?kó· (Thank you!)

Response

The commenter suggests that at the completion of a project, instead of any remaining unexpended capital improvement funds being returned to the General Fund, they should instead be placed into a capital improvement set aside fund. The commenter provides further suggestion that a new capital improvement set aside fund could be made only available for approved capital improvement process projects and require Oneida Business Committee approval for the allocation of the funds.

The Budget and Finances law provides that unexpended capital improvement funds carry over at the end of each fiscal year and remain available for use, provided that such funds are required to remain appropriated for the same purpose as originally budgeted until the project is complete. *[1 O.C. 121.6-5]*. Then, once a capital improvement project is complete, any remaining unexpended funds are required to be returned to the General Fund. *Id*.

Where unexpended capital improvement funds are placed at the completion of a project is a policy decision for the Legislative Operating Committee to make. The Legislative Operating Committee can make one of the following determinations.

1. The Budget and Finances law should remain as currently drafted and require that at the completion of a project unexpended capital improvement funds be returned to the General Fund.
2. The Budget and Finances law should be amended so that at the completion of a project unexpended capital improvement funds are placed into a separate capital improvement set aside fund. If the Legislative Operating Committee makes this decision then it is recommended that the Legislative Operating Committee work with its legislative work team to further explore and develop this idea.

LOC Consideration

Initially, when the Legislative Operating Committee reviewed this comment they were interested in exploring the possibility of redesignating unexpended capital improvement funds to the capital improvement set aside fund instead of the General Fund. As a result, the Legislative Operating Committee scheduled a work meeting with the Finance Administration to discuss this idea further.

When the Legislative Operating Committee shared this potential amendment to the Law with the Nation's Chief Financial Officer, Ralinda Ninham-Lamberies, she expressed concern that when unexpended funds are not returned to the General Fund it could encourage poor budgeting practices. The Legislative Operating Committee and the Chief Financial Officer discussed the fact that requiring unspent funds to be returned to the General Fund was an intentional choice, because it removes the opportunity for an area to budget extra funds into one capital improvement project knowing that the unspent funds would be available to roll over for future projects.

Based on the perspective and information shared by the Chief Financial Officer, the Legislative Operating Committee ultimately determined that the Budget and Finances law should remain as currently drafted and require that at the completion of a project unexpended capital improvement funds be returned to the General Fund.

Title 1. Government and Finances – Chapter 121
Twahwistatye?nítha?
We have a certain amount of money
BUDGET AND FINANCES

121.1. Purpose and Policy
121.2. Adoption, Amendment, Repeal
121.3. Definitions
121.4. Authority and Responsibilities
121.5. Budget
121.6. Expenditures and Assets
121.7. Grants
121.8. Debts
121.9. Employment and Labor Allocations
121.10. Budget Contingency Planning
121.11. Reporting
121.12. Enforcement

121.1. Purpose and Policy

121.1-1. *Purpose.* The purpose of this law is to set forth the requirements to be followed by the Oneida Business Committee and the Oneida fund units when preparing the budget to be presented to the General Tribal Council for approval, and to establish financial policies and procedures for the Nation which:

(a) institutionalize best practices in financial management to guide decision makers in making informed decisions regarding the provision of services, implementation of business plans for enterprises, investments, and capital assets;

(b) provide a long term financial prospective and strategic intent, linking budget allocations to organizational goals, as well as providing fiscal controls and accountability for results and outcomes;

(c) identify and communicate to the membership of the Nation spending decisions for the government function, grant obligations, enterprises, membership mandates, capital expenditures, technology projects, and capital improvement projects;

(d) establish a framework for effective financial risk management; and

(e) encourage participation by the Nation's membership.

121.1-2. *Policy.* It is the policy of the Nation to rely on balanced-based budgeting strategies, identifying proper authorities and ensuring compliance and enforcement. The Nation shall use Generally Accepted Accounting Principles (GAAP), established by the Financial Accounting Standards Board, and the Governmental Accounting Standards Board (GASB) in accounting and reporting for the financial activities of the various entities of the Nation, unless they conflict with applicable legal requirements.

121.2. Adoption, Amendment, Repeal

121.2-1. This law was adopted by the Oneida Business Committee by resolution BC-02-08-17-C, and amended by ~~resolution~~resolutions BC-05-11-22-B~~.~~, and BC-__-__-__-__.

121.2-2. This law may be amended or repealed by the Oneida Business Committee or the General Tribal Council pursuant to the procedures set out in the Legislative Procedures Act.

121.2-3. Should a provision of this law or the application thereof to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this law which are considered to have legal force without the invalid portions.

121.2-4. In the event of a conflict between a provision of this law and a provision of another law, the provisions of this law shall control. Provided that, nothing in this law amends or repeals the

requirements of resolution BC-10-08-08-A, *Adopting Expenditure Authorization and Reporting Requirements*.

121.2-5. This law is adopted under authority of the Constitution of the Oneida Nation.

121.3. Definitions

121.3-1. This section shall govern the definitions of words and phrases used within this law. All words not defined herein shall be used in their ordinary and everyday sense.

(a) "Balanced budget" means that the cost of current expenses and service provisions is equal to the forecasted current revenue sources.

(b) "Capital contribution" means an act of giving money or assets to a company or organization.

(c) "Capital expenditure" means any non-recurring ~~and non-physical~~ improvement as follows:

(1) Any item with a cost of five thousand dollars ($5,000) or more and a useful life of one (1) year or more; or

(2) Items purchased together where ~~none of the items individually costs more than two thousand dollars ($2,000), but~~ the total purchase price for all of the items is ten thousand dollars ($10,000) or more.

(d) "Capital improvement" means a non-recurring expenditure for physical improvements, including costs for:

(1) acquisition of existing buildings, land, or interests in land;

(A) Acquisition of existing buildings and land completed by the Oneida Land Commission are not included in this definition.

(2) construction of new buildings or other structures, including additions and major alterations;

(3) ~~acquisition~~demolition of ~~fixed equipment;~~ an existing building or other structures;

(4) ~~landscaping;~~

~~(5)~~ physical infrastructure; and

(~~6~~5) similar expenditures with a cost of five thousand dollars ($5,000~~.00~~) or more and a useful life of one (1) year or more.

(e) "CFO" means the Nation's Chief Financial Officer, or their designee at their discretion.

(f) "Debt" means the secured or unsecured obligations owed by the Nation.

(g) "Debt Service Coverage Ratio" means a measurement of creditors available cash flow to pay debt obligations. This ratio evaluates if an entity has income capacity to service debts.

(h) "Enterprise" means any area or activity of the Nation that is engaged in for the business of profit or to break even.

(i) "Executive Manager" means a position of employment within the Nation that is the highest level in the chain of command under the Oneida Business Committee who is responsible for a department or division of the Nation, as identified by the Oneida Business Committee through the adoption of a resolution.

(j) "Expenditure report" means a financial report which includes, but is not limited to, a statement of cash flows, revenues, costs and expenses, assets, liabilities, and a statement of financial position.

(k) "Finance Administration" means the department of the Nation which consists of the

Chief Financial Officer, Assistant Chief Financial Officer, the executive assistant to the Chief Financial Officer, and any other designated employee.

(l) "Fiscal year" means the one (1) year period each year from October 1st to September 30th.

(m) "Fixed Charge Coverage Ratio" means a measurement of a creditors capacity of earnings level or ability to cover its fixed charges such as debt payments, interest expenses, and leases expenses. Financial institutions will evaluate this ratio for purposes of credit risk.

(n) "Fund unit" means any board, committee, commission, service, program, enterprise, department, office, or any other division or non-division of the Nation which receives an appropriation approved by the Nation.

(o) "Government service" means any area or activity of the Nation that is not expected to create revenue for the Nation and not expected to make a profit at any time.

(p) "Line item" means the specific account within a fund unit's budget or category that expenditures are charged to.

(q) "Manager" means the person in charge of directing, controlling, and administering the activities of a fund unit.

(r) "Nation" means the Oneida Nation.

(s) "Secretary" means the Oneida Nation Secretary, or their designee at their discretion.

(t) "Treasurer" means the Oneida Nation Treasurer, or their designee at their discretion.

121.4. Authority and Responsibilities

121.4-1. *Oneida Business Committee.* The Oneida Business Committee shall:

(a) oversee the development of the Nation's budget;

(b) oversee the implementation of the Nation's budget;

~~(c) develop priorities, a strategic plan, or broad goals to assist in guiding the budget; and~~

~~(d~~(c) exercise the authority provided in Article IV, Section 1, of the Constitution and Bylaws of the Oneida Nation, as delegated to the Oneida Business Committee by the General Tribal Council.

121.4-2. *Treasurer*. In accordance with the Constitution and Bylaws of the Oneida Nation, the Nation's Treasurer shall:

(a) accept, receive, receipt for, preserve and safeguard all funds in the custody of the Nation, whether they be funds of the Nation or special funds for which the Nation is acting as trustee or custodian;

(b) deposit all funds in such depository as the Nation shall direct and shall make and preserve a faithful record of such funds;

(c) submit expenditure reports and other financial reports as deemed necessary by the Oneida Business Committee or the General Tribal Council at:

(1) the annual General Tribal Council meeting;

(2) the semi-annual General Tribal Council meeting; and

(3) other such times as may be directed by the Oneida Business Committee or the General Tribal Council; and

(d) present the proposed draft budget to the General Tribal Council at the annual budget meeting.

121.4-3. *Chief Financial Officer.* The CFO shall:

~~(a) ensure the Nation's budget is properly implemented;~~

(a) report to the Oneida Business Committee and/or Executive Managers any expenditures that do not follow budget guidelines or conform to the budget;

(b) provide managers with monthly revenue and expense reports;

(c) assist with the submission and presentation of the Treasurer's report to the Oneida Business Committee, which shall specifically include any monthly variances that are ~~either:~~

~~(1) a difference of three percent (3%) or more from the adopted annual budget; or~~

~~(2) fifty~~one hundred thousand dollars ($~~50~~100,000) or more in total;

(d) provide the Oneida Business Committee with information and reports as requested;

(e) present the Treasurer's report and hold financial condition meetings with the Nation's management on a minimum of a quarterly basis; and

(f) inform the ~~appropriate~~Oneida Business Committee of any Executive ~~Manager of any~~Managers and/or fund unit which does not follow the budget development process guidelines or deadlines as set forth by the Treasurer.

121.4-4. *Managers.* Managers shall:

(a) ensure that their business units operate, on a day-to-day basis, in compliance with the budget adopted pursuant to this law;

(b) report to the CFO and their relevant Executive Manager explanations and corrective actions for any monthly variance that is ~~either:~~

~~(1) a difference of three percent (3%) or more from the adopted annual budget; or~~

~~(2) fifty~~one hundred thousand dollars ($~~50~~100,000) or more in total;

(c) submit budget review reports to the CFO on a reasonable and timely basis not to exceed thirty (30) calendar days from the end of the month; and

(d) submit a budget for their fund unit in accordance with the budget schedule and guidelines as adopted by the Oneida Business Committee.

121.5. Budget

121.5-1. The Nation shall develop, adopt, and manage an annual budget. All revenues and expenditures of the Nation shall be in accordance with the annual budget.

(a) The Nation's budget shall be a balanced budget and not propose to spend more funds than are reasonably expected to become available to the Nation during that fiscal year.

(1) Underwriting debt resources or the utilization of existing debt instruments shall be expressly prohibited from use to balance the Nation's annual operational budget.

(b) The budget shall align with any ~~strategic plan, broad goals, or~~ priorities developed and adopted by the Oneida Business Committee on behalf of the Nation.

(c) The Nation's corporate entities shall not be included in the Nation's budget.

121.5-2. *Content of the Budget.* The Nation's budget shall include the following information:

(a) Estimated revenues to be received from all sources; and

(b) The individual budgets of each fund unit~~;~~.

~~(c) A description of each line item within each fund unit's budget;~~

~~(d) The estimated expenditures by each fund unit; and~~

~~(e) Summary of employment position counts including prior year, current year, and budgeted year.~~

121.5-3. *Fund Categories*. The Nation's budget shall include, but not be limited to, the following categories of fund accounts:

(a) *General Fund*. The General Fund account is the Nation's main operating fund which is used to account for all financial resources not accounted for in other funds.

(b) ~~*Permanent Executive Contingency*~~*Financial Sovereignty Fund*. The ~~Permanent Executive Contingency~~Financial Sovereignty Fund account is used by the Nation to prevent default on debt and to sustain operations and grants during times of extreme financial distress.

~~(c) *Grant Reserve Fund*. The Grant Reserve Fund account is used by the Nation to pre-fund the expenditures of grants upon receipt.~~

121.5-4. *Budget Adoption Procedure*. The Nation shall develop and adopt its budget according to the following procedures:

(a) *Budget Schedule and Guidelines*. The Treasurer shall develop the necessary guidelines, including specific timelines and deadlines, to be followed by the managers that have budget responsibility in preparing and submitting proposed budgets. The Treasurer shall submit the guidelines to the Oneida Business Committee for review and approval through the adoption of a resolution no later than March 1st of each calendar year.

(1) The budget schedule and guidelines shall include at least one (1) opportunity for community input from the Nation's membership on what should be included in the upcoming fiscal year budget.

(2) Each fund unit shall be responsible for complying with the budget schedule and guidelines to submit a proposed budget to the Treasurer. The Finance Administration shall not submit any budget on behalf of a fund unit unless granted express permission from the Oneida Business Committee.

~~(3) The Oneida Business Committee shall set a deadline through the adoption of a resolution for when the Treasurer shall submit their budget guidelines to the Oneida Business Committee for review and approval.~~

(b) *Annual Proposed Budgets*. The ~~Treasurer~~CFO shall receive, review, and compile the proposed budgets from all the fund units into the Nation's draft budget. The Treasurer and CFO shall present the Nation's draft budget to the Oneida Business Committee for review each year to ensure that it is consistent with the Nation's ~~strategic plan, broad goals, and budget strategy.~~priorities.

(1) *Notification of Budget Increase or Decrease*. The Treasurer shall identify in the budget guidelines a percentage of an increase or decrease in a fund unit's budget from the prior year budget that is required to be noticed to the Oneida Business Committee. The Treasurer shall notify the Oneida Business Committee of any fund units whose proposed budget increased or decreased by this percentage.

(c) *Final Draft Budget*. The Oneida Business Committee shall work with the Treasurer, CFO, and managers to compile a final draft budget to be presented to the General Tribal Council. The Oneida Business Committee shall approve, by resolution, the final draft budget to be presented to the General Tribal Council.

(d) *Community Meetings*. Once the Oneida Business Committee has approved the final draft budget, the Treasurer shall hold, at a minimum, two (2) community informational meetings to present the contents of the final draft budget that will be presented to the General Tribal Council.

(e) *Budget Adoption*. The Oneida Business Committee shall present the budget to the General Tribal Council with a request for adoption by resolution no later than September

30th of each year. The General Tribal Council shall be responsible for adopting the Nation's budget.

(1) *Continuing Budget Resolution*. In the event that the General Tribal Council does not adopt a budget by September 30th, the Oneida Business Committee may adopt a continuing budget resolution for a period of time not to exceed three (3) months, until such time as a budget is adopted by the General Tribal Council. If the General Tribal Council does not adopt a budget within three (3) months of the adoption of the continuing budget resolution, then the Oneida Business Committee shall adopt the Nation's budget.

(2) *Emergency Budget Adoption*. In the event that the Nation proclaims an emergency, in accordance with the Emergency Management law, that stays in effect for at least one (1) month and prevents the presentation to and adoption of the budget by the General Tribal Council, the Oneida Business Committee shall adopt the Nation's budget.

121.5-5. *Amendments to the Nation's Budget*. After the budget is adopted, amendments of the budget shall not be permitted unless it is necessary to avoid a budget deficit. The Treasurer and CFO shall identify when forecasted revenue and forecasted expenses are impacted in a manner which creates a deficit for the current fiscal year. The CFO shall provide the Oneida Business Committee a written fiscal analysis and any input on the potential budget amendment. The Oneida Business Committee shall be responsible for adopting an amendment to the budget through resolution of the Nation. The Oneida Business Committee shall present notification of the budget amendment at the next available General Tribal Council meeting.

121.6. Expenditures and Assets

121.6-1. *Procurement Rule Handbook*. The Purchasing Department is delegated rulemaking authority in accordance with the Administrative Rulemaking law to develop a Procurement Rule Handbook which provides the sign-off process and authorities required to expend funds on behalf of the Nation.

121.6-2. *Authority to Expend Funds.* The Oneida Business Committee shall have the authority to expend appropriated funds in accordance with the Nation's adopted budget pursuant to the Procurement Rule Handbook developed by the Purchasing Department. The authority to expend funds is then necessarily delegated to other managers, including Executive Managers of the Nation who manage budgets pursuant to their job descriptions based on the Procurement Rule Handbook.

121.6-3.~~121.6-2. *Procurement Rule Handbook*. The Purchasing Department is delegated rulemaking authority in accordance with the Administrative Rulemaking law to develop a Procurement Rule Handbook which provides the sign-off process and authorities required to expend funds on behalf of the Nation.~~

~~121.6-3. *Fees and Charges*. A program or service of the Nation funded through Tribal contribution may charge fees for their services to cover operational costs.~~

~~(a) Before charging fees for services, a program or service shall first determine the full cost of providing the program or service. The full cost of providing a program or service includes all costs including operation costs, overhead such as direct and indirect costs, and depreciation.~~

~~(b) Fees and charges may cover the full cost of service or goods whenever such fee or charge would not present an undue financial burden to the recipient.~~

~~(c) Programs and services charging fees may offer fee waivers, provided that the program or service has developed a standard operating procedure which outlines fee waiver eligibility and requirements.~~

~~121.6-4.~~ *Unbudgeted Expenditures*.

(a) *Approval of Unbudgeted Expenditures*. A fund unit shall not make an unbudgeted expenditure of two hundred and fifty thousand dollars ($250,000) or more unless approval is granted by the Oneida Business Committee. The CFO shall provide the Oneida Business Committee a written fiscal analysis and any input on the potential unbudgeted expenditure. The Oneida Business Committee shall approve any unbudgeted expenditure through the adoption of a resolution prior to the expenditure being made by a fund unit.

(b) *Notification of Unbudgeted Expenditures*. The Oneida Business Committee shall set through resolution a threshold amount for unbudgeted expenditures that require notification by the Oneida Business Committee to the General Tribal Council at the next available General Tribal Council meeting.

(c) *Unbudgeted Supplemental Funding*. In the event that the Nation receives any supplemental or emergency funding of two hundred and fifty thousand dollars ($250,000) or more, the Oneida Business Committee shall develop and adopt, through resolution, a spending plan to guide expenditures of the supplemental funding in accordance with any provided guidance for the supplemental funding and audit compliance.

121.6-~~5~~4. *Obligated Future Expenditures*. Notwithstanding an approved multi-year contract, no fund unit shall obligate the Nation to make any future expenditures beyond the current budget year unless the fund unit identifies, and the Oneida Business Committee approves through the adoption of a resolution, the source and extent of any future funds that are recommended to be held in reserve to meet that future obligation.

121.6-~~6. *Unexpended Funds.*~~

~~(a)~~5. *Unexpended Capital Improvement Funds*. Unexpended capital improvement funds shall carry over ~~to~~at the ~~next~~end of each fiscal ~~year's budget~~year and remain available for use, provided that such funds are required to remain appropriated for the same purpose as originally budgeted until the project is complete. Once a capital improvement project is complete, any remaining unexpended funds shall be returned to the General Fund.

~~(b) *Unexpended Capital Expenditure Funds*. The Treasurer shall ensure that all unexpended capital expenditure funds are reallocated to the fiscal year budget two (2) years out from the fiscal year in which the funds were unexpended. Such unexpended funds shall be returned to the General Fund.~~

121.6-~~7~~6. *Capital Contributions*. Any capital contributions made by the Nation shall be identified in the annual budget.

(a) Any reassignment of a loan provided by the Nation into a capital contribution shall be noticed to the General Tribal Council.

121.6-~~8~~7. Assets of the Nation shall not be divested, or borrowed against, to balance the annual budget.

~~121.6-9. *Capital Improvements.*~~

~~(a) *Capital Improvement Plan for Government Services.* The Oneida Business Committee shall develop, and the General Tribal Council shall approve, a capital improvement plan for government services.~~

~~(1) The capital improvement plan for government services shall cover a period of five (5) to ten (10) years and shall include any risks and liabilities.~~

~~(2) The capital improvement plan for government services shall be reassessed once every five (5) years. The Oneida Business Committee shall provide a status report and recommendation for any improvements that have not been completed or that have been modified at the time of the reassessment.~~

~~(b) *Capital Improvement Plan for Enterprises.* Capital improvement plans for enterprises may be brought forward as needed, provided that the Oneida Business Committee shall approve all capital improvement plans for enterprises.~~

~~(c) *Capital Improvement Plan Implementation.* Capital improvement plans for government services and enterprises shall be implemented, contingent on available funding capacity.~~

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121.7. Grants

121.7-1. *Expending Grant Funds*. Grant funds shall be expended according to any ~~non-negotiable~~ grant requirements and guidelines of the granting agency.

(a) Grant funds may be utilized for, but not limited to, the following:

(1) purchases;

(2) travel;

(3) training;

(4) hiring grant required positions; and

~~(5) incentives and retention efforts; and~~

~~(6~~(5) any other requirements attached to the funds as a condition of the Nation's acceptance of the grant funds.

~~(b) Grant funds may be utilized for an expenditure even when other policies of the Nation do not allow for Tribal contribution to make that same expenditure, if only grant funds are utilized for the expenditure and all requirements or obligations of the grant are met. Provided that, grant funds may be subject to the requirements of the budget contingency plan and any cost containment initiatives adopted by the Oneida Business Committee.~~

~~121.7-2. *Exhaustion of Non-Tribal Funds*. When grant funds provide for forward funding as applicable to a function for which the Nation's funds have also been appropriated, those grant funds shall be used before appropriating the Nation's funds unless the Nation's funds are needed to make up an otherwise shortfall in the overall fund unit budget or there is a restriction on the grant funds that provide otherwise.~~

~~121.7-3. *Grant Reporting*. At the time of submission of proposed annual budgets, any fund unit which receives grant funding shall submit a status report of the grant funding received to the Oneida Business Committee. The status report shall include, but not be limited to:~~

~~(a) information on the progress of the utilization of the grant funds;~~

~~(b) the number of employees the grant funding supports fully or partially; and~~

~~(c) compliance with obligations of the grant funding.~~

~~121.7-4. *Grant Reserve Fund Account*. The Oneida Business Committee shall maintain a Grant Reserve Fund account within the ownership investment report to be used to pre-fund the expenditures of grants upon receipt. The Grant Reserve Fund account shall be an obligated fund, that is fully funded with separately identified cash resources.~~

~~(a) The Treasurer, in consultation with the CFO, shall establish, and the Oneida Business Committee shall approve, the level of funds required in the Grant Reserve Fund account relative to the scale of grant dollars we receive on an annual basis.~~

~~(b) The Treasurer shall set aside funds within the budget in the Grant Reserve Fund account until the established level has been achieved.~~

~~121.7-5.~~121.7-2. *Grant Funded Positions*. If the grant funding for a fully grant funded position is eliminated, then the position shall be eliminated. To transition a position from grant funding to being funded through the Nation's budget, a manager shall follow the standard procedure for seeking the development and approval of a new position in the Nation's annual budget and labor allocations.

121.8. Debts

121.8-1. *General*. The acquisition of debt by the Nation shall be processed in accordance with sound fiscal diligence. The Nation shall comply with all relevant federal and state banking laws, rules, and policies applicable to the credit agreement.

(a) Any debt instrument utilized by the Nation shall not exceed the life of what is being encumbered.

121.8-2. *Acquisition of Debt*. Any debt underwritten by the Nation for ten million dollars ($10,000,000) or more shall be noticed to the General Tribal Council at the next available meeting prior to the execution of the credit agreement encumbering all pledges of repayment.

(a) If emergency circumstances exist which prevents the notice of the acquisition of debt to the General Tribal Council, the Oneida Business Committee may proceed with the acquisition of debt.

(b) Prior to the acquisition of any debt, the Nation shall obtain an amortization schedule for the repayment of the debt.

121.8-3. *Use of Debt*. Credit proceeds may be utilized for project capital, general use, financing of equity, and all unspecified uses. Compliance with debt covenants is required to avoid credit default.

121.8-4. *Credit Ratios*. Maintaining fiscally responsible prudent credit ratios is consistent with effective budget management and financial control.

(a) *Debt Service Coverage Ratio*. The Debt Service Coverage Ratio shall not exceed the acceptable range as defined by low-risk debt financing options at the specific financial institution.

(b) *Fixed Charge Coverage Ratio*. The Fixed Charge Coverage Ratio shall be maintained at the acceptable range as defined by low-risk debt financing options at the specific financial institution.

121.8-5. *Corporate Debt*. The Nation shall not be obligated to any debt obligations of its corporate entities.

121.9. Employment and Labor Allocations

121.9-1. *Employment Cap*. The Treasurer and CFO shall identify a maximum number of full-time equivalent (FTE) employees to be employed by the Nation. The Oneida Business Committee shall have the authority to approve this employment cap, and any amendments thereto, through the adoption of a resolution. The employment cap shall be reviewed annually by the Oneida Business Committee.

~~(a) Employment positions that are fully funded through grants shall not be included in the employment cap.~~

~~(b~~(a) The Nation shall not exceed the number of FTE employees identified in the employment cap.

121.9-2. *Labor Allocations List*. The Treasurer, CFO, Executive Managers, and the Executive Human Resources Director shall utilize the Nation's employment cap to develop a labor allocations list. The labor allocations list shall identify the number of FTE employees each employment area of the Nation is allocated. The Oneida Business Committee shall have the authority to adopt the labor allocation list, and any amendments thereto, through the adoption of a resolution. The Oneida Business Committee shall review the labor allocations list on an annual basis.

(a) The total number of FTE employees identified in the labor allocations list shall not exceed the Nation's employment cap.

(b) The Treasurer, CFO, Executive Managers, and Executive Human Resources Director shall develop a standard operating procedure which identifies a process for the consideration of requests to revise the labor allocations list. The Oneida Business Committee shall approve this standard operating procedure, and any amendments thereto, through the adoption of a resolution.

121.9-3. *Unbudgeted Positions*. Any position which has not been specifically budgeted for and included in the labor allocation list shall be prohibited. Budgeted labor dollars and approved positions shall not be transferrable in any form.

(a) *Exception*. The Oneida Business Committee may authorize an unbudgeted position for a fund unit. The CFO shall provide the Oneida Business Committee a written fiscal analysis and any input on the potential unbudgeted position. The Oneida Business Committee shall authorize the unbudgeted position through the adoption of a resolution.

121.10. Budget Contingency Planning

121.10-1. *Budget Contingency Plan*. The Oneida Business Committee shall work with the CFO, Executive Managers, and managers to create a budget contingency plan which provides a strategy for the Nation to respond to or prepare for potential extreme financial distress that could negatively impact the Nation.

(a) Extreme financial distress includes, but is not limited to:

(1) natural or human-made disasters;

(2) United States Government shutdown;

(3) emergency proclamations; and

(4) economic downturns.

(b) The Oneida Business Committee shall approve the budget contingency plan, and any amendments thereto, through the adoption of a resolution.

121.10-2. *Cost Saving Tools*. As part of the budget contingency plan, the Oneida Business Committee may require the use of cost saving tools, provided that the use of such complies with all laws of the Nation. Cost saving tools may include, but are not limited to, the use of the following:

(a) stabilization funds;

(b) ~~reductions of expenditures~~cost optimization;

(c) furloughs; and

(d) layoffs.

121.10-3. When the ~~Oneida Business Committee~~CFO determines that the Nation is under extreme financial distress~~,~~ or may face extreme financial distress in the near future, the CFO shall inform the Oneida Business Committee, and the Oneida Business Committee shall be responsible for implementing the budget contingency plan.

121.10-4. ~~*Permanent Executive Contingency*~~*Financial Sovereignty Fund Account*. The Oneida Business Committee shall maintain a ~~Permanent Executive Contingency~~Financial Sovereignty Fund account within the ownership investment report to be used to prevent default on debt and to sustain operations, including grant operations, during times of extreme financial distress. The ~~Permanent Executive Contingency~~Financial Sovereignty Fund account shall be a restricted fund.

(a) The ~~Permanent Executive Contingency~~Financial Sovereignty Fund account shall consist of a minimum reserve of one (1) year of operating expenses to ensure continuity of business for the Nation.

(b) The Treasurer, in consultation with the CFO, shall establish, and the Oneida Business Committee shall approve through the adoption of a resolution, the percentage of the annual budget that shall be set aside in the ~~Permanent Executive Contingency~~Financial Sovereignty Fund account until the established level has been achieved.

(c) Funds in the ~~Permanent Executive Contingency~~Financial Sovereignty Fund account may only be used when the Oneida Business Committee has determined that the Nation is under extreme financial distress for the following purposes and only to the extent that alternative funding sources are unavailable:

(1) payments to notes payable to debt service, both principal and interest, and applicable service fees;

(2) employee payroll, including all applicable taxes;

(3) payments to vendors for gaming and retail;

(4) payments to vendors for governmental operations;

(5) payments to any other debt; and

(6) to sustain any of the Nation's other operations during implementation of the budget contingency plan.

121.11. Reporting

121.11-1. *Monthly Reporting*. The Treasurer shall provide monthly reports and quarterly operational reports from direct reports to the Oneida Business Committee in accordance with the Secretary's Oneida Business Committee packet schedule for the Oneida Business Committee meeting held for the acceptance of such reports.

(a) The Treasurer's monthly reports shall include revenue and expense summaries.

121.11-2. *Annual and Semi-Annual Reporting to the General Tribal Council*. The Treasurer shall report on all receipts and expenditures and the amount and nature of all funds in their possession and custody, at the annual and semi-annual General Tribal Council meetings, and at such other times as requested by the General Tribal Council or the Oneida Business Committee.

(a) The Treasurer reports shall include an independently audited annual financial statement that provides the status or conclusion of all the receipts and debts in possession of the Treasurer including, but not limited to, all corporations owned in full or in part by the Nation.

121.11-3. *Audits*. The Internal Audit Department, annually, shall conduct independent comprehensive performance audits, in accordance with the Nation's Audit law, the Financial Accounting Standards Board (FASB) and the Governmental Accounting Standards Board (GASB), of randomly selected fund units or of fund units deemed necessary by the Oneida Business Committee or Internal Audit Department. Each fund unit shall offer its complete cooperation to the Internal Audit Department. The Oneida Business Committee may, as it deems necessary, contract with an independent audit firm to conduct such audits.

121.12. Enforcement

121.12-1. *Compliance and Enforcement.* All employees and officials of the Nation shall comply with and enforce this law to the greatest extent possible.

(a) The Executive Managers shall notify the Oneida Business Committee of any fund unit which does not comply with the budget schedule or guidelines. A list of any fund units of an elected entity which did not comply with the budget schedule or guidelines shall be included in the annual report to the General Tribal Council.

121.12-2. *Violations.* Violations of this law shall be addressed using the applicable enforcement tools provided by the Nation's laws and policies including, but not limited to, those related to employment with the Nation, conflicts of interest, ethics, and removal from an elected position.

121.12-3. *Civil or Criminal Charges.* This law shall not be construed to preclude the Nation from pursuing civil or criminal charges under applicable law. Violations of applicable federal or state civil or criminal laws, or any laws of the Nation, may be pursued in a court having jurisdiction over any such matter.

End.

Adopted – BC-02-08-17-C
Emergency Amended – BC-11-24-20-E
Emergency Amended – BC-05-12-21-C
Emergency Extension – BC-11-10-21-B
Amended – BC-05-11-22-B
Emergency Amended – BC-10-26-22-D (Expired)
Amended – BC-__-__-__-__

Title 1. Government and Finances – Chapter 121
Twahwistatye?nítha?
We have a certain amount of money
BUDGET AND FINANCES

121.1. Purpose and Policy
121.2. Adoption, Amendment, Repeal
121.3. Definitions
121.4. Authority and Responsibilities
121.5. Budget
121.6. Expenditures and Assets
121.7. Grants
121.8. Debts
121.9. Employment and Labor Allocations
121.10. Budget Contingency Planning
121.11. Reporting
121.12. Enforcement

121.1. Purpose and Policy

121.1-1. *Purpose.* The purpose of this law is to set forth the requirements to be followed by the Oneida Business Committee and the Oneida fund units when preparing the budget to be presented to the General Tribal Council for approval, and to establish financial policies and procedures for the Nation which:

(a) institutionalize best practices in financial management to guide decision makers in making informed decisions regarding the provision of services, implementation of business plans for enterprises, investments, and capital assets;

(b) provide a long term financial prospective and strategic intent, linking budget allocations to organizational goals, as well as providing fiscal controls and accountability for results and outcomes;

(c) identify and communicate to the membership of the Nation spending decisions for the government function, grant obligations, enterprises, membership mandates, capital expenditures, technology projects, and capital improvement projects;

(d) establish a framework for effective financial risk management; and

(e) encourage participation by the Nation's membership.

121.1-2. *Policy.* It is the policy of the Nation to rely on balanced-based budgeting strategies, identifying proper authorities and ensuring compliance and enforcement. The Nation shall use Generally Accepted Accounting Principles (GAAP), established by the Financial Accounting Standards Board, and the Governmental Accounting Standards Board (GASB) in accounting and reporting for the financial activities of the various entities of the Nation, unless they conflict with applicable legal requirements.

121.2. Adoption, Amendment, Repeal

121.2-1. This law was adopted by the Oneida Business Committee by resolution BC-02-08-17-C, and amended by resolutions BC-05-11-22-B, and BC-__-__-__-__.

121.2-2. This law may be amended or repealed by the Oneida Business Committee or the General Tribal Council pursuant to the procedures set out in the Legislative Procedures Act.

121.2-3. Should a provision of this law or the application thereof to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this law which are considered to have legal force without the invalid portions.

121.2-4. In the event of a conflict between a provision of this law and a provision of another law, the provisions of this law shall control. Provided that, nothing in this law amends or repeals the

requirements of resolution BC-10-08-08-A, *Adopting Expenditure Authorization and Reporting Requirements*.

121.2-5. This law is adopted under authority of the Constitution of the Oneida Nation.

121.3. Definitions

121.3-1. This section shall govern the definitions of words and phrases used within this law. All words not defined herein shall be used in their ordinary and everyday sense.

(a) "Balanced budget" means that the cost of current expenses and service provisions is equal to the forecasted current revenue sources.

(b) "Capital contribution" means an act of giving money or assets to a company or organization.

(c) "Capital expenditure" means any non-recurring improvement as follows:

(1) Any item with a cost of five thousand dollars ($5,000) or more and a useful life of one (1) year or more; or

(2) Items purchased together where the total purchase price for all of the items is ten thousand dollars ($10,000) or more.

(d) "Capital improvement" means a non-recurring expenditure for physical improvements, including costs for:

(1) acquisition of existing buildings, land, or interests in land;

(A) Acquisition of existing buildings and land completed by the Oneida Land Commission are not included in this definition.

(2) construction of new buildings or other structures, including additions and major alterations;

(3) demolition of an existing building or other structures;

(4) physical infrastructure; and

(5) similar expenditures with a cost of five thousand dollars ($5,000) or more and a useful life of one (1) year or more.

(e) "CFO" means the Nation's Chief Financial Officer, or their designee at their discretion.

(f) "Debt" means the secured or unsecured obligations owed by the Nation.

(g) "Debt Service Coverage Ratio" means a measurement of creditors available cash flow to pay debt obligations. This ratio evaluates if an entity has income capacity to service debts.

(h) "Enterprise" means any area or activity of the Nation that is engaged in for the business of profit or to break even.

(i) "Executive Manager" means a position of employment within the Nation that is the highest level in the chain of command under the Oneida Business Committee who is responsible for a department or division of the Nation, as identified by the Oneida Business Committee through the adoption of a resolution.

(j) "Expenditure report" means a financial report which includes, but is not limited to, a statement of cash flows, revenues, costs and expenses, assets, liabilities, and a statement of financial position.

(k) "Finance Administration" means the department of the Nation which consists of the Chief Financial Officer, Assistant Chief Financial Officer, the executive assistant to the Chief Financial Officer, and any other designated employee.

(l) "Fiscal year" means the one (1) year period each year from October 1st to September 30th.

(m) "Fixed Charge Coverage Ratio" means a measurement of a creditors capacity of earnings level or ability to cover its fixed charges such as debt payments, interest expenses, and leases expenses. Financial institutions will evaluate this ratio for purposes of credit risk.

(n) "Fund unit" means any board, committee, commission, service, program, enterprise, department, office, or any other division or non-division of the Nation which receives an appropriation approved by the Nation.

(o) "Government service" means any area or activity of the Nation that is not expected to create revenue for the Nation and not expected to make a profit at any time.

(p) "Line item" means the specific account within a fund unit's budget or category that expenditures are charged to.

(q) "Manager" means the person in charge of directing, controlling, and administering the activities of a fund unit.

(r) "Nation" means the Oneida Nation.

(s) "Secretary" means the Oneida Nation Secretary, or their designee at their discretion.

(t) "Treasurer" means the Oneida Nation Treasurer, or their designee at their discretion.

121.4. Authority and Responsibilities

121.4-1. *Oneida Business Committee.* The Oneida Business Committee shall:

(a) oversee the development of the Nation's budget;

(b) oversee the implementation of the Nation's budget;

(c) exercise the authority provided in Article IV, Section 1, of the Constitution and Bylaws of the Oneida Nation, as delegated to the Oneida Business Committee by the General Tribal Council.

121.4-2. *Treasurer*. In accordance with the Constitution and Bylaws of the Oneida Nation, the Nation's Treasurer shall:

(a) accept, receive, receipt for, preserve and safeguard all funds in the custody of the Nation, whether they be funds of the Nation or special funds for which the Nation is acting as trustee or custodian;

(b) deposit all funds in such depository as the Nation shall direct and shall make and preserve a faithful record of such funds;

(c) submit expenditure reports and other financial reports as deemed necessary by the Oneida Business Committee or the General Tribal Council at:

(1) the annual General Tribal Council meeting;

(2) the semi-annual General Tribal Council meeting; and

(3) other such times as may be directed by the Oneida Business Committee or the General Tribal Council; and

(d) present the proposed draft budget to the General Tribal Council at the annual budget meeting.

121.4-3. *Chief Financial Officer.* The CFO shall:

(a) report to the Oneida Business Committee and/or Executive Managers any expenditures that do not follow budget guidelines or conform to the budget;

(b) provide managers with monthly revenue and expense reports;

(c) assist with the submission and presentation of the Treasurer's report to the Oneida Business Committee, which shall specifically include any monthly variances that are one hundred thousand dollars ($100,000) or more in total;

(d) provide the Oneida Business Committee with information and reports as requested;
(e) present the Treasurer's report and hold financial condition meetings with the Nation's management on a minimum of a quarterly basis; and
(f) inform the Oneida Business Committee of any Executive Managers and/or fund unit which does not follow the budget development process guidelines or deadlines as set forth by the Treasurer.

121.4-4. *Managers.* Managers shall:
(a) ensure that their business units operate, on a day-to-day basis, in compliance with the budget adopted pursuant to this law;
(b) report to the CFO and their relevant Executive Manager explanations and corrective actions for any monthly variance that is one hundred thousand dollars ($100,000) or more in total;
(c) submit budget review reports to the CFO on a reasonable and timely basis not to exceed thirty (30) calendar days from the end of the month; and
(d) submit a budget for their fund unit in accordance with the budget schedule and guidelines as adopted by the Oneida Business Committee.

121.5. Budget

121.5-1. The Nation shall develop, adopt, and manage an annual budget. All revenues and expenditures of the Nation shall be in accordance with the annual budget.
(a) The Nation's budget shall be a balanced budget and not propose to spend more funds than are reasonably expected to become available to the Nation during that fiscal year.
(1) Underwriting debt resources or the utilization of existing debt instruments shall be expressly prohibited from use to balance the Nation's annual operational budget.
(b) The budget shall align with any priorities developed and adopted by the Oneida Business Committee on behalf of the Nation.
(c) The Nation's corporate entities shall not be included in the Nation's budget.

121.5-2. *Content of the Budget.* The Nation's budget shall include the following information:
(a) Estimated revenues to be received from all sources; and
(b) The individual budgets of each fund unit.

121.5-3. *Fund Categories*. The Nation's budget shall include, but not be limited to, the following categories of fund accounts:
(a) *General Fund*. The General Fund account is the Nation's main operating fund which is used to account for all financial resources not accounted for in other funds.
(b) *Financial Sovereignty Fund*. The Financial Sovereignty Fund account is used by the Nation to prevent default on debt and to sustain operations and grants during times of extreme financial distress.

121.5-4. *Budget Adoption Procedure*. The Nation shall develop and adopt its budget according to the following procedures:
(a) *Budget Schedule and Guidelines*. The Treasurer shall develop the necessary guidelines, including specific timelines and deadlines, to be followed by the managers that have budget responsibility in preparing and submitting proposed budgets. The Treasurer shall submit the guidelines to the Oneida Business Committee for review and approval through the adoption of a resolution no later than March 1st of each calendar year.

(1) The budget schedule and guidelines shall include at least one (1) opportunity for community input from the Nation's membership on what should be included in the upcoming fiscal year budget.

(2) Each fund unit shall be responsible for complying with the budget schedule and guidelines to submit a proposed budget to the Treasurer. The Finance Administration shall not submit any budget on behalf of a fund unit unless granted express permission from the Oneida Business Committee.

(b) *Annual Proposed Budgets*. The CFO shall receive, review, and compile the proposed budgets from all the fund units into the Nation's draft budget. The Treasurer and CFO shall present the Nation's draft budget to the Oneida Business Committee for review each year to ensure that it is consistent with the Nation's priorities.

(1) *Notification of Budget Increase or Decrease*. The Treasurer shall identify in the budget guidelines a percentage of an increase or decrease in a fund unit's budget from the prior year budget that is required to be noticed to the Oneida Business Committee. The Treasurer shall notify the Oneida Business Committee of any fund units whose proposed budget increased or decreased by this percentage.

(c) *Final Draft Budget*. The Oneida Business Committee shall work with the Treasurer, CFO, and managers to compile a final draft budget to be presented to the General Tribal Council. The Oneida Business Committee shall approve, by resolution, the final draft budget to be presented to the General Tribal Council.

(d) *Community Meetings*. Once the Oneida Business Committee has approved the final draft budget, the Treasurer shall hold, at a minimum, two (2) community informational meetings to present the contents of the final draft budget that will be presented to the General Tribal Council.

(e) *Budget Adoption*. The Oneida Business Committee shall present the budget to the General Tribal Council with a request for adoption by resolution no later than September 30th of each year. The General Tribal Council shall be responsible for adopting the Nation's budget.

(1) *Continuing Budget Resolution*. In the event that the General Tribal Council does not adopt a budget by September 30th, the Oneida Business Committee may adopt a continuing budget resolution for a period of time not to exceed three (3) months, until such time as a budget is adopted by the General Tribal Council. If the General Tribal Council does not adopt a budget within three (3) months of the adoption of the continuing budget resolution, then the Oneida Business Committee shall adopt the Nation's budget.

(2) *Emergency Budget Adoption*. In the event that the Nation proclaims an emergency, in accordance with the Emergency Management law, that stays in effect for at least one (1) month and prevents the presentation to and adoption of the budget by the General Tribal Council, the Oneida Business Committee shall adopt the Nation's budget.

121.5-5. *Amendments to the Nation's Budget*. After the budget is adopted, amendments of the budget shall not be permitted unless it is necessary to avoid a budget deficit. The Treasurer and CFO shall identify when forecasted revenue and forecasted expenses are impacted in a manner which creates a deficit for the current fiscal year. The CFO shall provide the Oneida Business Committee a written fiscal analysis and any input on the potential budget amendment. The Oneida Business Committee shall be responsible for adopting an amendment to the budget through

resolution of the Nation. The Oneida Business Committee shall present notification of the budget amendment at the next available General Tribal Council meeting.

121.6. Expenditures and Assets

121.6-1. *Procurement Rule Handbook*. The Purchasing Department is delegated rulemaking authority in accordance with the Administrative Rulemaking law to develop a Procurement Rule Handbook which provides the sign-off process and authorities required to expend funds on behalf of the Nation.

121.6-2. *Authority to Expend Funds.* The Oneida Business Committee shall have the authority to expend appropriated funds in accordance with the Nation's adopted budget pursuant to the Procurement Rule Handbook developed by the Purchasing Department. The authority to expend funds is then necessarily delegated to other managers, including Executive Managers of the Nation who manage budgets pursuant to their job descriptions based on the Procurement Rule Handbook.

121.6-3. *Unbudgeted Expenditures*.

(a) *Approval of Unbudgeted Expenditures*. A fund unit shall not make an unbudgeted expenditure of two hundred and fifty thousand dollars ($250,000) or more unless approval is granted by the Oneida Business Committee. The CFO shall provide the Oneida Business Committee a written fiscal analysis and any input on the potential unbudgeted expenditure. The Oneida Business Committee shall approve any unbudgeted expenditure through the adoption of a resolution prior to the expenditure being made by a fund unit.

(b) *Notification of Unbudgeted Expenditures*. The Oneida Business Committee shall set through resolution a threshold amount for unbudgeted expenditures that require notification by the Oneida Business Committee to the General Tribal Council at the next available General Tribal Council meeting.

(c) *Unbudgeted Supplemental Funding*. In the event that the Nation receives any supplemental or emergency funding of two hundred and fifty thousand dollars ($250,000) or more, the Oneida Business Committee shall develop and adopt, through resolution, a spending plan to guide expenditures of the supplemental funding in accordance with any provided guidance for the supplemental funding and audit compliance.

121.6-4. *Obligated Future Expenditures*. Notwithstanding an approved multi-year contract, no fund unit shall obligate the Nation to make any future expenditures beyond the current budget year unless the fund unit identifies, and the Oneida Business Committee approves through the adoption of a resolution, the source and extent of any future funds that are recommended to be held in reserve to meet that future obligation.

121.6-5. *Unexpended Capital Improvement Funds*. Unexpended capital improvement funds shall carry over at the end of each fiscal year and remain available for use, provided that such funds are required to remain appropriated for the same purpose as originally budgeted until the project is complete. Once a capital improvement project is complete, any remaining unexpended funds shall be returned to the General Fund.

121.6-6. *Capital Contributions*. Any capital contributions made by the Nation shall be identified in the annual budget.

(a) Any reassignment of a loan provided by the Nation into a capital contribution shall be noticed to the General Tribal Council.

121.6-7. Assets of the Nation shall not be divested, or borrowed against, to balance the annual budget.

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121.7. Grants

121.7-1. *Expending Grant Funds*. Grant funds shall be expended according to any grant requirements and guidelines of the granting agency.

(a) Grant funds may be utilized for, but not limited to, the following:

(1) purchases;

(2) travel;

(3) training;

(4) hiring grant required positions; and

(5) any other requirements attached to the funds as a condition of the Nation's acceptance of the grant funds.

121.7-2. *Grant Funded Positions*. If the grant funding for a fully grant funded position is eliminated, then the position shall be eliminated. To transition a position from grant funding to being funded through the Nation's budget, a manager shall follow the standard procedure for seeking the development and approval of a new position in the Nation's annual budget and labor allocations.

121.8. Debts

121.8-1. *General*. The acquisition of debt by the Nation shall be processed in accordance with sound fiscal diligence. The Nation shall comply with all relevant federal and state banking laws, rules, and policies applicable to the credit agreement.

(a) Any debt instrument utilized by the Nation shall not exceed the life of what is being encumbered.

121.8-2. *Acquisition of Debt*. Any debt underwritten by the Nation for ten million dollars ($10,000,000) or more shall be noticed to the General Tribal Council at the next available meeting prior to the execution of the credit agreement encumbering all pledges of repayment.

(a) If emergency circumstances exist which prevents the notice of the acquisition of debt to the General Tribal Council, the Oneida Business Committee may proceed with the acquisition of debt.

(b) Prior to the acquisition of any debt, the Nation shall obtain an amortization schedule for the repayment of the debt.

121.8-3. *Use of Debt*. Credit proceeds may be utilized for project capital, general use, financing of equity, and all unspecified uses. Compliance with debt covenants is required to avoid credit default.

121.8-4. *Credit Ratios*. Maintaining fiscally responsible prudent credit ratios is consistent with effective budget management and financial control.

(a) *Debt Service Coverage Ratio*. The Debt Service Coverage Ratio shall not exceed the acceptable range as defined by low-risk debt financing options at the specific financial institution.

(b) *Fixed Charge Coverage Ratio*. The Fixed Charge Coverage Ratio shall be maintained at the acceptable range as defined by low-risk debt financing options at the specific financial institution.

121.8-5. *Corporate Debt*. The Nation shall not be obligated to any debt obligations of its corporate entities.

121.9. Employment and Labor Allocations

121.9-1. *Employment Cap*. The Treasurer and CFO shall identify a maximum number of full-time equivalent (FTE) employees to be employed by the Nation. The Oneida Business Committee shall have the authority to approve this employment cap, and any amendments thereto, through the adoption of a resolution. The employment cap shall be reviewed annually by the Oneida Business Committee.

(a) The Nation shall not exceed the number of FTE employees identified in the employment cap.

121.9-2. *Labor Allocations List*. The Treasurer, CFO, Executive Managers, and the Executive Human Resources Director shall utilize the Nation's employment cap to develop a labor allocations list. The labor allocations list shall identify the number of FTE employees each employment area of the Nation is allocated. The Oneida Business Committee shall have the authority to adopt the labor allocation list, and any amendments thereto, through the adoption of a resolution. The Oneida Business Committee shall review the labor allocations list on an annual basis.

(a) The total number of FTE employees identified in the labor allocations list shall not exceed the Nation's employment cap.

(b) The Treasurer, CFO, Executive Managers, and Executive Human Resources Director shall develop a standard operating procedure which identifies a process for the consideration of requests to revise the labor allocations list. The Oneida Business Committee shall approve this standard operating procedure, and any amendments thereto, through the adoption of a resolution.

121.9-3. *Unbudgeted Positions*. Any position which has not been specifically budgeted for and included in the labor allocation list shall be prohibited. Budgeted labor dollars and approved positions shall not be transferrable in any form.

(a) *Exception*. The Oneida Business Committee may authorize an unbudgeted position for a fund unit. The CFO shall provide the Oneida Business Committee a written fiscal analysis and any input on the potential unbudgeted position. The Oneida Business Committee shall authorize the unbudgeted position through the adoption of a resolution.

121.10. Budget Contingency Planning

121.10-1. *Budget Contingency Plan*. The Oneida Business Committee shall work with the CFO, Executive Managers, and managers to create a budget contingency plan which provides a strategy for the Nation to respond to or prepare for potential extreme financial distress that could negatively impact the Nation.

(a) Extreme financial distress includes, but is not limited to:

(1) natural or human-made disasters;
(2) United States Government shutdown;
(3) emergency proclamations; and
(4) economic downturns.

(b) The Oneida Business Committee shall approve the budget contingency plan, and any amendments thereto, through the adoption of a resolution.

121.10-2. *Cost Saving Tools*. As part of the budget contingency plan, the Oneida Business Committee may require the use of cost saving tools, provided that the use of such complies with all laws of the Nation. Cost saving tools may include, but are not limited to, the use of the following:

(a) stabilization funds;
(b) cost optimization;
(c) furloughs; and
(d) layoffs.

121.10-3. When the CFO determines that the Nation is under extreme financial distress or may face extreme financial distress in the near future, the CFO shall inform the Oneida Business Committee, and the Oneida Business Committee shall be responsible for implementing the budget contingency plan.

121.10-4. *Financial Sovereignty Fund Account*. The Oneida Business Committee shall maintain a Financial Sovereignty Fund account within the ownership investment report to be used to prevent default on debt and to sustain operations, including grant operations, during times of extreme financial distress. The Financial Sovereignty Fund account shall be a restricted fund.

(a) The Financial Sovereignty Fund account shall consist of a minimum reserve of one (1) year of operating expenses to ensure continuity of business for the Nation.

(b) The Treasurer, in consultation with the CFO, shall establish, and the Oneida Business Committee shall approve through the adoption of a resolution, the percentage of the annual budget that shall be set aside in the Financial Sovereignty Fund account until the established level has been achieved.

(c) Funds in the Financial Sovereignty Fund account may only be used when the Oneida Business Committee has determined that the Nation is under extreme financial distress for the following purposes and only to the extent that alternative funding sources are unavailable:

(1) payments to notes payable to debt service, both principal and interest, and applicable service fees;
(2) employee payroll, including all applicable taxes;
(3) payments to vendors for gaming and retail;
(4) payments to vendors for governmental operations;
(5) payments to any other debt; and
(6) to sustain any of the Nation's other operations during implementation of the budget contingency plan.

121.11. Reporting

121.11-1. *Monthly Reporting*. The Treasurer shall provide monthly reports and quarterly operational reports from direct reports to the Oneida Business Committee in accordance with the Secretary's Oneida Business Committee packet schedule for the Oneida Business Committee meeting held for the acceptance of such reports.

(a) The Treasurer's monthly reports shall include revenue and expense summaries.

121.11-2. *Annual and Semi-Annual Reporting to the General Tribal Council*. The Treasurer shall report on all receipts and expenditures and the amount and nature of all funds in their possession and custody, at the annual and semi-annual General Tribal Council meetings, and at such other times as requested by the General Tribal Council or the Oneida Business Committee.

(a) The Treasurer reports shall include an independently audited annual financial statement that provides the status or conclusion of all the receipts and debts in possession of the Treasurer including, but not limited to, all corporations owned in full or in part by the Nation.

121.11-3. *Audits*. The Internal Audit Department, annually, shall conduct independent comprehensive performance audits, in accordance with the Nation's Audit law, the Financial Accounting Standards Board (FASB) and the Governmental Accounting Standards Board (GASB), of randomly selected fund units or of fund units deemed necessary by the Oneida Business Committee or Internal Audit Department. Each fund unit shall offer its complete cooperation to the Internal Audit Department. The Oneida Business Committee may, as it deems necessary, contract with an independent audit firm to conduct such audits.

121.12. Enforcement

121.12-1. *Compliance and Enforcement.* All employees and officials of the Nation shall comply with and enforce this law to the greatest extent possible.

(a) The Executive Managers shall notify the Oneida Business Committee of any fund unit which does not comply with the budget schedule or guidelines. A list of any fund units of an elected entity which did not comply with the budget schedule or guidelines shall be included in the annual report to the General Tribal Council.

121.12-2. *Violations.* Violations of this law shall be addressed using the applicable enforcement tools provided by the Nation's laws and policies including, but not limited to, those related to employment with the Nation, conflicts of interest, ethics, and removal from an elected position.

121.12-3. *Civil or Criminal Charges.* This law shall not be construed to preclude the Nation from pursuing civil or criminal charges under applicable law. Violations of applicable federal or state civil or criminal laws, or any laws of the Nation, may be pursued in a court having jurisdiction over any such matter.

End.

Adopted – BC-02-08-17-C
Emergency Amended – BC-11-24-20-E
Emergency Amended – BC-05-12-21-C
Emergency Extension – BC-11-10-21-B
Amended – BC-05-11-22-B
Emergency Amended – BC-10-26-22-D (Expired)
Amended – BC-__-__-__-__

BUDGET AND FINANCES LAW AMENDMENTS LEGISLATIVE ANALYSIS

SECTION 1. EXECUTIVE SUMMARY

Analysis by the Legislative Reference Office	
Intent of the Proposed Amendments	▪ Amend the definitions for capital expenditures, capital improvements, and enterprise. *[1 O.C.121.3-1];* ▪ Remove the requirement that the Oneida Business Committee develop priorities, a strategic plan, or broad goals to assist in guiding the budget. *[1 O.C.121.4-1];* ▪ Remove the requirement that the Chief Financial Officer ensure the Nation's budget is properly implemented, and instead require that the Chief Financial Officer report to the Oneida Business Committee and/or Executive Managers any expenditures that do not follow budget guidelines or conform to the budget. *[1 O.C.121.4-3(a)];* ▪ Require that the Chief Financial Officer assist with the submission and presentation of the Treasurer's report to the Oneida Business Committee, which shall specifically include any monthly variances that are one hundred thousand dollars ($100,000) or more in total instead of a difference of three percent (3%) or more from the adopted annual budget or fifty thousand dollars ($50,000) or more in total. *[1 O.C.121.4-3(c)];* ▪ Require the Chief Financial Officer to inform the Oneida Business Committee of any Executive Managers and/or fund unit which does not follow the budget development process guidelines or deadlines as set forth by the Treasurer. *[1 O.C.121.4-3(f)];* ▪ Require managers to report to the CFO and their relevant Executive Manager explanations and corrective actions for any monthly variance that is one hundred thousand dollars ($100,000) or more in total instead of a difference of three percent (3%) or more from the adopted annual budget or fifty thousand dollars ($50,000) or more in total. *[1 O.C.121.4-4(b)];* ▪ Eliminate that the contents of the budget include a description of each line item within each fund unit's budget, the estimated expenditures by each fund unit, and a summary of employment position counts including prior year, current year, and budgeted year. *[1 O.C.121.5-2];* ▪ Rename the Permanent Executive Contingency Fund Account the Financial Sovereignty Fund. *[1 O.C.121.5-3(b)];* ▪ Eliminate the Grant Reserve Fund Account, instead including sustaining grant operations in the purpose of the Financial Sovereignty Fund. *[1 O.C.121.5-3(b)-(c)];* ▪ Require that the Treasurer submit the budget guidelines to the Oneida Business Committee for review and approval through the adoption of a resolution no later than March 1st of each calendar year. *[1 O.C.121.5-4(a)];* ▪ Provide that it is the Chief Financial Officer, and not the Treasurer, that is responsible for receiving, reviewing, and compiling the proposed

	budgets from all the fund units into the Nation's draft budget. *[1 O.C.121.5-4(b)];* ▪ Eliminate the section of the law that addressed fees and charges. *[previously 1 O.C. 121.6-3]*; ▪ Add a threshold of two hundred and fifty thousand dollars ($250,000) or more for when a fund unit has to seek approval by the Oneida Business Committee, and a fiscal analysis by the Chief Financial Officer for any unbudgeted expenditure. *[1 O.C. 121.6-3]*; ▪ Clarify that for unexpended capital improvement funds they do not carry over to the next fiscal year budget, but instead carry over at the end of each fiscal year and remain available for use. *[1 O.C. 121.6-5]*; ▪ Eliminate the section on unexpended capital expenditure funds. *[previously 1 O.C. 121.6-4(b)]*; ▪ Eliminate the provisions of the Law governing capital improvements. *[previously 1 O.C. 121.6-9]*; ▪ Eliminate provisions of the Law governing how grant fund can be utilized, exhaustion of non-tribal funds, grant reporting, and the Grant Reserve Fund Account. *[previously 1 O.C. 121.7-1(b)-121.7-4]*; ▪ Require that prior to the acquisition of any debt, the Nation shall obtain an amortization schedule for the repayment of the debt. *[1 O.C. 121.8-2(b)]*; ▪ Eliminate the provisions which provides that employment positions that are fully funded through grants shall not be included in the employment cap. *[previously 1 O.C. 121.9-1(a)]*; ▪ Allow the budget contingency plan to respond to or prepare for potential extreme financial distress. *[1 O.C. 121.10-1]*; ▪ Clarify that when the Chief Financial Officer, not the Oneida Business Committee, determines that the Nation is under extreme financial distress, or may face extreme financial distress in the near future, the CFO shall inform the Oneida Business Committee, and the Oneida Business Committee shall be responsible for implementing the budget contingency plan. *[1 O.C. 121.10-3]*; and ▪ Make other minor drafting changes.
Purpose	The purpose of this law is to set forth the requirements to be followed by the Oneida Business Committee and the Oneida fund units when preparing the budget to be presented to the General Tribal Council for approval, and to establish financial policies and procedures for the Nation. *[1 O.C. 121.1-1].*
Affected Entities	Oneida Nation Community, General Tribal Council, Oneida Business Committee, Chief Financial Officer, Executive Managers, employees of the Nation
Public Meeting	A public meeting was held on February 12, 2026. One (1) individual provided oral comments during the public meeting. The public comment period was held open until February 19, 2026. One (1) individual provided written comments during the public comment period.
Fiscal Impact	A fiscal impact statement has not yet been requested.

SECTION 2. LEGISLATIVE DEVELOPMENT

A. ***Background***. The Budget and Finances law ("the Law"), formerly known as the Budget Management and Control law, was first adopted by the Oneida Business Committee on February 8, 2017, through the adoption of resolution BC-02-08-17-C, and most recently amended on May 11, 2022, through the adoption of resolution BC-05-11-22-B. The Law sets forth the requirements to be followed by the Oneida Business Committee and the Oneida fund units when preparing the budget to be presented to the General Tribal Council for approval, and to establish financial policies and procedures for the Nation which: institutionalize best practices in financial management to guide decision makers in making informed decisions regarding the provision of services, implementation of business plans for enterprises, investments, and capital assets; provide a long term financial prospective and strategic intent, linking budget allocations to organizational goals, as well as providing fiscal controls and accountability for results and outcomes; identify and communicate to the membership of the Nation spending decisions for the government function, grant obligations, enterprises, membership mandates, capital expenditures, technology projects, and capital improvement projects; establish a framework for effective financial risk management; and encourage participation by the Nation's membership. *[1 O.C. 121.1-1]*.

B. ***Request for Amendments.*** When the Budget and Finances law was last amended, resolution BC-05-11-22-B, *Amendments to the Budget Management and Control Law*, included a directive that the Legislative Reference Office collaborate with the Nation's Treasurer and Chief Financial Officer to conduct a one (1) year review of the Budget and Finances law and provide the Oneida Business Committee a report on the use and implementation of the Law. The Legislative Reference Office and Legislative Operating Committee met with the Nation's Treasurer and Chief Financial Officer on February 7, 2024, to review and discuss how the implementation and utilization of the Budget and Finance law has fared since the most recent amendments were adopted in May of 2022. Through the discussions with the Nation's Treasurer and Chief Financial Officer it was determined that there are potential amendments to the Budget and Finances law that would be beneficial to the Nation to make. The Nation's Treasurer and Chief Financial Officer recommended that the Legislative Operating Committee consider adding the Budget and Finances law to its Active Files List for amendments to be made. This item was added to the Active Files List on March 6, 2024. Then on July 2, 2025, the Legislative Operating Committee received an additional request from the Chief Financial Officer for amendments to be made to the Budget and Finances law and accepted the request for amendments to the Budget and Finances law as information, noting the Budget and Finances law is already on the Active Files List for amendments.

SECTION 3. CONSULTATION AND OUTREACH

A. Representatives from the following departments or entities participated in the development of the amendments to the Budget and Finances law and this legislative analysis:

- Treasurer; and
- Finance Administration.

B. The following laws were reviewed in the drafting of this analysis:

- Administrative Rulemaking law;
- Oneida Personnel Policies and Procedures;
- Legislative Procedures Act;

- Internal Audit law;
- Emergency Management law;
- Furlough Law;
- Layoff Policy;
- Conflict of Interest law;
- Code of Ethics law; and
- Removal law.

SECTION 4. PROCESS

A. The development of the proposed amendments to Budget and Finances law complies with the process set forth in the Legislative Procedures Act (LPA).

- On March 6, 2024, the Legislative Operating Committee added the Budget and Finances law to its Active Files List.
- On July 2, 2025, the Legislative Operating Committee accepted an additional request for amendments to the Budget and Finances law as information, noting the Budget and Finances law is already on the Active Files List for amendments.
- On October 15, 2025, the Legislative Operating Committee approved the draft of proposed amendments to the Budget and Finances law.
- On November 5, 2025, the Legislative Operating Committee approved the updated draft and legislative analysis of the proposed amendments to the Budget and Finances law.
- On December 17, 2025, the Legislative Operating Committee approved the public meeting packet and scheduled a public meeting for the proposed Budget and Finances Law Amendments to be held on February 12, 2026.
- A public meeting was held on February 12, 2026. One (1) individual provided oral comments during the public meeting.
- The public comment period was held open until February 19, 2026. One (1) individual provided written comments during the public comment period.
- On March 4, 2026, the Legislative Operating Committee accepted the public comments and the public comment review memorandum and deferred to a work meeting for further consideration. The Legislative Operating Committee reviewed and considered the public comments that same day.

B. At the time this legislative analysis was developed the following work meetings had been held regarding the development of the amendments to the Computer Resources Ordinance:

- March 20, 2024: LOC work session.
- July 21, 2025: LOC work session with Treasurer and Finance Administration.
- August 18, 2025: LOC work session with Treasurer and Finance Administration.
- October 3, 2025: LOC work session with Treasurer and Finance Administration.
- March 4, 2026: LOC work session.
- March 12, 2026: LOC work session with Finance Administration.

A. *Community Outreach Events*. In addition to the public meeting required by the Legislative Procedures Act, the LOC held the following community outreach events on this legislation:

- September 17, 2025: Legislative Operating Committee Community Meeting held in the Norbert Hill Center's cafeteria.

SECTION 5. CONTENTS OF THE LEGISLATION

A. ***Definitions***. The proposed amendments to the Law revise the definitions for capital expenditures, capital improvements, and enterprise. *[1 O.C.121.3-1].* Currently, the Law defines capital expenditures as any non-recurring and non-physical improvement as follows: Any item with a cost of five thousand dollars ($5,000) or more and a useful life of one (1) year or more; or Items purchased together where none of the items individually costs more than two thousand dollars ($2,000), but the total purchase price for all of the items is ten thousand dollars ($10,000) or more. *[1 O.C.121.3-1(c)].* The proposed amendments to the Law revise the definition of capital expenditures to read as means any non-recurring improvement as follows: Any item with a cost of five thousand dollars ($5,000) or more and a useful life of one (1) year or more; or Items purchased together where the total purchase price for all of the items is ten thousand dollars ($10,000) or more. *[1 O.C.121.3-1(c)].* Currently, the Law defines capital improvement as a non-recurring expenditure for physical improvements, including costs for: acquisition of existing buildings, land, or interests in land; construction of new buildings or other structures, including additions and major alterations; acquisition of fixed equipment; landscaping; physical infrastructure; and (6) similar expenditures with a cost of five thousand dollars ($5,000.00) or more and a useful life of one (1) year or more. *[1 O.C.121.3-1(d)].* The proposed amendments to the Law revise the definition of capital improvements to read as a non-recurring expenditure for physical improvements, including costs for: acquisition of existing buildings, land, or interests in land; construction of new buildings or other structures, including additions and major alterations; demolition of an existing building or other structures; physical infrastructure; and similar expenditures with a cost of five thousand dollars ($5,000) or more and a useful life of one (1) year or more. *[1 O.C.121.3-1(d)].* Currently, the Law defines enterprise as any area or activity of the Nation that is engaged in for the business of profit. *[1 O.C.121.3-1(h)].* The proposed amendments to the Law revise the definition of enterprise to read as any area or activity of the Nation that is engaged in for the business of profit or to break even. *[1 O.C.121.3-1(h)].*

- *Effect*. The proposed amendments to the above mentioned definitions ensure that the definitions included in our law are consistent with regularly accepted financial and accounting standard definitions.

B. ***Responsibilities of the Chief Financial Officer***. The proposed amendments to the Law make some adjustments to the responsibilities of the Chief Financial Officer. Currently, the Law requires that the Chief Financial Officer ensures the Nation's budget is properly implemented. Understanding that it is not reasonable to place the proper implementation of the Nation's budget onto one position, the proposed amendments to the Law instead require that the Chief Financial Officer report to the Oneida Business Committee and/or Executive Managers any expenditures that do not follow budget guidelines or conform to the budget. *[1 O.C.121.4-3(a)]*. Currently, the Law requires that the Chief Financial Officer assist with the submission and presentation of the Treasurer's report to the Oneida Business Committee, which shall specifically include any monthly variances that are either: a difference of three percent (3%) or more from the adopted annual budget; or fifty thousand dollars ($50,000) or more in total. *[1 O.C.121.4-3(c)]*. The proposed amendments to the Law change how monthly variances are reported in the Treasurer's report, so that it only includes monthly variances that are one hundred thousand dollars ($100,000) or more in total instead of a difference of three percent (3%) or more from the adopted annual budget or fifty thousand dollars ($50,000) or more in total. *[1 O.C.121.4-3(c)]*. The change in what monthly variances that are required to be reported better reflects the information that accounting tracks for the Nation. And finally, the current Law requires that the Chief Financial Officer

inform the appropriate Executive Manager of any fund unit which does not follow the budget development process guidelines or deadlines as set forth by the Treasurer. *[1 O.C.121.4-3(f)]*. Understanding that it makes more sense from the information to come from the Executive Managers to the Chief Financial Officer since the Executive Manages should be already aware of the compliance status of the areas they manage, the proposed amendments to the Law now require that the Chief Financial Officer informs the Oneida Business Committee of any Executive Managers and/or fund unit which does not follow the budget development process guidelines or deadlines as set forth by the Treasurer. *[1 O.C.121.4-3(f)]*.

- *Effect*. The proposed amendments to the Law provide greater clarity as to the responsibilities of the Chief Financial Officer so that the Law more realistically reflects the roles and responsibilities of this position.

C. ***Responsibilities of Managers***. The proposed amendments to the Law require managers to report to the Chief Financial Officer and their relevant Executive Manager explanations and corrective actions for any monthly variance that is one hundred thousand dollars ($100,000) or more in total instead of a difference of three percent (3%) or more from the adopted annual budget or fifty thousand dollars ($50,000) or more in total. *[1 O.C.121.4-4(b)]*.

- *Effect*. The proposed amendment to the Law addressing what monthly variances need to be reported by the managers better reflects the information that accounting tracks for the Nation.

D. ***Contents of the Budget***. Currently, the Law requires that the Nation's budget include the following information: estimated revenues to be received from all sources; the individual budgets of each fund unit; a description of each line item within each fund unit's budget; the estimated expenditures by each fund unit; and a summary of employment position counts including prior year, current year, and budgeted year. *[1 O.C.121.5-2]*. The proposed amendments to the Law eliminate the requirement that the contents of the budget include a description of each line item within each fund unit's budget, the estimated expenditures by each fund unit, and a summary of employment position counts including prior year, current year, and budgeted year. *[1 O.C.121.5-2]*. Therefore, the budget is only required to include the estimated revenues to be received from all sources and the individual budgets of each fund unit. *Id*.

- *Effect*. The proposed amendments to the Law eliminate requirements to the contents of the budget that appeared duplicative or were simply never actually complied with by the fund units of the Nation.

E. ***Financial Sovereignty Fund***. Currently, the Law provides that in addition to the General Fund, the Nation's budget shall include a Permanent Executive Contingency Fund account to be used by the Nation to prevent default on debt and to sustain operations during times of extreme financial distress, as well as a Grant Reserve Fund, to be used by the Nation to prefund the expenditures of grants upon receipt. *[1 O.C.121.5-3]*. The proposed amendments to the Law combine the Permanent Executive Contingency Fund Account and the Grant Reserve Fund Account into one Fund Account to be named the Financial Sovereignty Fund which will be used by the Nation to prevent default on debt and to sustain operations and grants during times of extreme financial distress. *[1 O.C.121.5-3(b)]*.

- *Effect*. The proposed amendments to the Law simplify the accounting of our various contingency fund accounts by combining them into one account. The change in title of the account better reflects that its purpose is to provide financial sovereignty to the Nation in times of extreme financial distress.

F. ***Budget Schedule and Guidelines***. Currently, the Law requires that the Treasurer develop the necessary guidelines, including specific timelines and deadlines, to be followed by the managers that have budget responsibility in preparing and submitting proposed budgets, and that the Treasurer submit the guidelines to the Oneida Business Committee for review and approval through the adoption of a resolution. *[1 O.C.121.5-4(a)]*. The Oneida Business Committee is responsible for setting a deadline through the adoption of a resolution for when the Treasurer is required to submit their budget guidelines to the Oneida Business Committee for review and approval. *[1 O.C.121.5-4(a)(3)]*. The proposed amendments to the Law require that the Treasurer submit the budget guidelines to the Oneida Business Committee for review and approval through the adoption of a resolution no later than March 1st of each calendar year. *[1 O.C.121.5-4(a)]*.

- *Effect*. The proposed amendments to the Law include a deadline for when the Treasurer is required to submit budget guidelines to the Oneida Business Committee, instead of relaying on the Oneida Business Committee to set a deadline through resolution because thus far, the Oneida Business Committee has not complied with setting this deadline consistently, and the inclusion of the deadline ensures consistency in how the budget is processed.

G. ***Annual Proposed Budgets***. Currently the Law requires that the Treasurer receive, review, and compile the proposed budgets from all the fund units into the Nation's draft budget, and that the Treasurer present the Nation's draft budget to the Oneida Business Committee for review each year to ensure that it is consistent with the Nation's strategic plan, broad goals, and budget strategy. *[1 O.C.121.5-4(b)]* The proposed amendments to the Law will now require that it is the Chief Financial Officer, and not the Treasurer, that is responsible for receiving, reviewing, and compiling the proposed budgets from all the fund units into the Nation's draft budget, and that it is the Treasurer and Chief Financial Officer together that present the budget to the Oneida Business Committee. *[1 O.C.121.5-4(b)]*.

- *Effect*. The proposed amendments to the Law better reflect the current practices and responsibilities of the Chief Financial officer and the Treasurer.

H. ***Fees and Charges***. Currently, section 121.6-3 of the Law addresses fees and charges and provides that a program or service of the Nation funded through Tribal contribution may charge fees for their services to cover operational costs. The Law goes on to provide details on determining the full cost of a program, what fees and charges may cover, and fee waivers. The proposed amendments to the Law eliminate the entire section of the Law addressing fees and charges.

- *Effect*. The proposed amendments to the Law eliminated the provisions regarding fees and charges based on the recommendation from Finance due to the fact that a program or service of the Nation charging a fee rarely worth the amount of time it takes for the Finance Administration to process the fee. Instead of including this general provision in the Law, it was recommended that this language be removed and then Finance can work with areas to determine if charging a fee for a service makes financial sense.

I. ***Approval of Unbudgeted Expenditures***. Currently, the Law provides that a fund unit shall not make an unbudgeted expenditure unless approval is granted by the Oneida Business Committee. *[1 O.C.121.6-4]*. The Law goes on to provide that the Chief Financial Officer is responsible for providing the Oneida Business Committee a written fiscal analysis and any input on the potential unbudgeted expenditure. *Id*. The Oneida Business Committee shall then approve any unbudgeted expenditure through the adoption of a resolution prior to the expenditure being made by a fund unit. *Id*. The proposed amendment to the Law adds a threshold of two hundred and fifty thousand dollars ($250,000)

or more for when a fund unit has to seek approval by the Oneida Business Committee, and a fiscal analysis by the Chief Financial Officer for any unbudgeted expenditure. *[1 O.C. 121.6-3]*.

- *Effect*. The proposed amendments to the Law add the threshold for when a fund unit has to seek approval by the Oneida Business Committee, and a fiscal analysis by the Chief Financial Officer for any unbudgeted expenditure in order to provide better clarity and consistently.

J. ***Unexpended Capital Expenditure Funds***. Currently, 121.6-6(b) of the Law provides that the Treasurer shall ensure that all unexpended capital expenditure funds are reallocated to the fiscal year budget two (2) years out from the fiscal year in which the funds were unexpended, and that such unexpended funds shall be returned to the General Fund. The proposed amendments to the Law eliminate this provision from the Law.

- *Effect*. The provision regarding how to handle unexpended capital expenditure funds was eliminated from the Law based on the recommendation from the Finance Administration due to the fact that this better reflected information that would be included in a standard operating procedure or other internal policy.

K. ***Capital Improvements***. Currently, section 121.6-9 of the Law addresses capital improvements for both government services and enterprises. For government service, the Oneida Business Committee is responsible for developing, and the General Tribal Council approving, a capital improvement plan which covers a period of five (5) to ten (10) years and includes any risks and liabilities. The capital improvement plan for government services is required to be reassessed once every five (5) years, and the Oneida Business Committee is required to provide a status report and recommendation for any improvements that have not been completed or that have been modified at the time of the reassessment. For enterprises, capital improvement plans may be brought forward as needed, provided that the Oneida Business Committee is required to approve all capital improvement plans for enterprises. Capital improvement plans for government services and enterprises shall be implemented, contingent on available funding capacity. The proposed amendments to the Law eliminate section 121.6-9 of the Law which addresses capital improvements for both government services and enterprises.

- *Effect*. The decision for the proposed amendments to the Law to eliminate the provisions regarding capital improvements was based on discussion regarding the fact that overall, the capital improvement process needs to be reviewed, revised, and flushed out in greater detail. The work group determined that the Budget and Finances law may not be the appropriate place for an expanded capital improvement process to exist, and it may need to be its own law or its own internal policy or standard operating procedure.

L. ***Grants***. Section 121.7 of the Law currently provides information on grants such as how grant funding can be expended and utilized, the exhaustion of non-tribal funds, grant reporting, and the Grant Reserve Fund Account, and grant funded positions. The proposed amendments to the Law eliminate the provisions of the Law governing how grant fund can be utilized, exhaustion of non-tribal funds, grant reporting, and the Grant Reserve Fund Account. *[currently 1 O.C. 121.7-1(b)-121.7-4]*.

- *Effect.* Many of the provisions in the Grants section of the Law were eliminated due to the fact that much of the language included in the Law was unnecessary, duplicative, or potentially conflicting with individual grant requirements, and it is the individual grant requirements that will ultimately control how the grant may be expended or utilized. Since it was determined it was unnecessary to maintain these provisions in the Law, it provides better clarity to just remove these provisions entirely.

M. ***Amortization Schedule***. Section 121.8 of the current Law provides information on debt, such as the acquisition of debt, use of debt, credit ratios, sand corporate debt. The proposed amendments to the Law add a new provision which requires that prior to the acquisition of any debt, the Nation shall obtain an amortization schedule for the repayment of the debt. *[1 O.C. 121.8-2(b)]*.

- *Effect*. The proposed amendment to the Law ensures that if the Nation makes the decision to take out debt, the Nation is also immediately thinking about how to pay back that debt and planning for that.

N. ***Employment Cap***. Currently, the Law provides that the Treasurer and Chief Financial Officer are required to identify a maximum number of full-time equivalent (FTE) employees to be employed by the Nation. *[1 O.C. 121.9-1]*. The Oneida Business Committee is then responsible for approving this employment cap, and any amendments thereto, through the adoption of a resolution – and then reviewing that employment cap annually. *Id*. The current Law then goes on to state that employment positions that are fully funded through grants shall not be included in the employment cap. *[currently1 O.C. 121.9-1(a)]*. The proposed amendments to the Law eliminate the provisions which provides that employment positions that are fully funded through grants shall not be included in the employment cap. *[currently 1 O.C. 121.9-1(a)]*.

- *Effect*. The provision of the Law exempting fully grant funded positions from the employment cap was eliminated from the Law based on the current economic reality of the United States, and the fact that in the future we may not be able to relay on grant funding, so we need to be prepared to address the control the economic costs of grant funded positions.

O. ***Budget Contingency Plan***. The current law provides that the Oneida Business Committee shall work with the Chief Financial Officer, Executive Managers, and managers to create a budget contingency plan which provides a strategy for the Nation to respond to extreme financial distress that could negatively impact the Nation. *[1 O.C. 121.10-1]*. Extreme financial distress includes, but is not limited to, natural or human-made disasters; United States Government shutdown; emergency proclamations; and economic downturns. The current Law provides that when the Oneida Business Committee determines that the Nation is under extreme financial distress the Oneida Business Committee shall be responsible for implementing the budget contingency plan. *[1 O.C. 121.10-3]*. The proposed amendments to the Law expand when the budget contingency plan can be used to allow for the Nation to respond to or prepare for potential extreme financial distress. *[1 O.C. 121.10-1]*. The proposed amendments then provide that when the Chief Financial Officer, not the Oneida Business Committee, determines that the Nation is under extreme financial distress, or may face extreme financial distress in the near future, the CFO shall inform the Oneida Business Committee, and the Oneida Business Committee shall be responsible for implementing the budget contingency plan. *[1 O.C. 121.10-3]*.

- *Effect*. The proposed amendments to the Law allow for the use and implementation of the budget contingency plan when *preparing* for potential extreme financial distress, and not just when the extreme financial distress occurs. The Finance Administration expressed the fact that waiting for extreme financial distress to occur is not financially prudent and will often not provide enough time to adequately address the extreme financial distress, and that instead the Nation should be monitoring conditions so that if there is potential for extreme financial distress to occur, the Nation can take preventative action.

SECTION 6. EXISTING LEGISLATION

A. ***Related Legislation***. The following laws of the Nation are related to this Law:

- *Administrative Rulemaking law*. The Administrative Rulemaking law provides an efficient, effective, and democratic process for enacting and revising administrative rules. *[1 O.C. 106.1-2]*.
    - This Law delegates rulemaking authority to the Purchasing Department in accordance with the Administrative Rulemaking law to develop a Procurement Rule Handbook which provides the sign-off process and authorities required to expend funds on behalf of the Nation.. *[1 O.C. 121.6-1].*
- *Internal Audit Law*. The Internal Audit law creates a process by which internal audits are conducted upon the Nation's entities and to delegate responsibilities for the purposes of conducting such audits. *[1 O.C. 108.1-1]*.
    - The Law provides that the Internal Audit Department, annually, shall conduct independent comprehensive performance audits, in accordance with the Nation's Audit law, the Financial Accounting Standards Board (FASB) and the Governmental Accounting Standards Board (GASB), of randomly selected fund units or of fund units deemed necessary by the Oneida Business Committee or Internal Audit Department. *[1 O.C. 121.11-3]*.
    - Any internal audits conducted by the Internal Audit Department shall be made in accordance with the audit process provided in the Internal Audit law. *[1 O.C. 108.6]*.
- *Emergency Management Law*. The purpose of the Emergency Management law is to provide for the development and execution of plans for the protection of residents, property, and the environment in an emergency or disaster; provide for the direction of emergency management, response, and recovery on the Reservation, as well as coordinating with other agencies, victims, businesses, and organizations; establish the use of the National Incident Management System (NIMS); and designate authority and responsibilities for public health preparedness. *[3 O.C. 302.1-1].*
    - This Law provides that if the Nation proclaims an emergency, in accordance with the Emergency Management law, that stays in effect for at least one (1) month and prevents the presentation to and adoption of the budget by the General Tribal Council, the Oneida Business Committee shall adopt the Nation's budget. *[1 O.C. 121.5-4(e)(2)]*.
    - Under the Emergency Management law, the Oneida Business Committee is delegated the responsibility to proclaim or ratify the existence of an emergency. *[3 O.C. 302.8-1]*. An emergency means a situation that poses an immediate risk to health, life, safety, property, or environment which requires urgent intervention to prevent further illness, injury, death, or other worsening of the situation. *[3 O.C. 302.3-1(f)]*. No proclamation of an emergency by the Oneida Business Committee may last for longer than sixty (60) days, unless renewed by the Oneida Business Committee. *[3 O.C. 302.8-2]*.
- *Oneida Personnel Policies and Procedures*. The Oneida Personnel Policies and Procedures is the Nation's law which governs employment. The Oneida Personnel Policies and Procedures provides the process for handling complaints, disciplinary actions, and grievances. *[Section V.D.]*.
    - The Law provides that violations of this Law shall be addressed using the applicable enforcement tools provided by the Nation's laws and policies including, but not limited to, those related to employment with the Nation, conflicts of interest, ethics, and removal from an elected position. *[1 O.C. 121.12-2].*

347 ▪ An employee of the Nation who violates this Law may be addressed through the
348 disciplinary procedures found in Section V.D. of the Oneida Personnel Policies and
349 Procedures.
350 ▪ *Conflict of Interest Law*. The Conflict of Interest law ensures that all employees, contractors,
351 elected officials, officers, political appointees, appointed and elected members and all others who
352 may have access to information or materials that are confidential or may be used by competitors of
353 the Nation's enterprises or interests be subject to specific limitations to which such information and
354 materials may be used in order to protect the interests of the Nation. *[2 O.C. 217.1-1]*.
355 ▪ The Law provides that violations of this Law shall be addressed using the applicable
356 enforcement tools provided by the Nation's laws and policies including, but not limited to,
357 those related to employment with the Nation, conflicts of interest, ethics, and removal from
358 an elected position. *[1 O.C. 121.12-2].*
359 ▪ The Conflict of Interest law provides that if a supervisor is provided credible evidence that
360 an employee has failed to disclose a conflict of interest, the employee shall be placed on
361 leave pursuant to the Nation's Investigative Leave Policy, except that the duration of the
362 investigation for an alleged conflict of interest shall be concluded within seven (7) days of
363 the employee being placed on leave. A supervisor shall terminate an employee from his or
364 her employment with the Nation when an investigation substantiates that the employee
365 failed to disclose a conflict of interest. *[2 O.C. 217.6-1]*.
366 ▪ The Conflict of Interest law provides that an Oneida Business Committee member who
367 fails to disclose a conflict of interest may be subject to removal pursuant to the Removal
368 Law or penalties pursuant to laws of the Nation regarding penalties. *[2 O.C. 217.6-2]*.
369 ▪ The Conflict of Interest law provides that an elected or appointed official of the Nation
370 who fails to disclose a conflict of interest may be subject to penalties pursuant to laws of
371 the Nation regarding penalties, and subject to removal pursuant to the Removal Law for
372 elected members, or have their appointment terminated by the Oneida Business Committee
373 pursuant to the law governing board, committees and commissions for appointed
374 members. *[2 O.C. 217.6-3]*.
375 ▪ *Code of Ethics*. The Code of Ethics law promotes the highest ethical conduct in all its elected and
376 appointed officials, and employees. *[1 O.C. 103.1-1].*
377 ▪ The Law provides that violations of this Law shall be addressed using the applicable
378 enforcement tools provided by the Nation's laws and policies including, but not limited to,
379 those related to employment with the Nation, conflicts of interest, ethics, and removal from
380 an elected position. *[1 O.C. 121.12-2].*
381 ▪ The Code of Ethics law provides that a government official who violates any portion of the
382 Code of Ethics as it applies to them, may be subject to removal, if elected, or termination,
383 if appointed. *[1 O.C. 103.6-1(a)]*.
384 ▪ The Code of Ethics law provides that an individual from a program or enterprise of the
385 Nation who violates any portion of the Code of Ethics as it applies to them, may be subject
386 to the disciplinary procedures found in the Oneida Personnel Policies and Procedures. *[1*
387 *O.C. 103.6-1(b)]*.
388 ▪ *Removal Law*. The Removal law governs the removal of persons elected to serve on boards,
389 committees, and commissions of the Nation. *[1 O.C. 104.1-1]*.

- The Law provides that violations of this Law shall be addressed using the applicable enforcement tools provided by the Nation's laws and policies including, but not limited to, those related to employment with the Nation, conflicts of interest, ethics, and removal from an elected position. *[1 O.C. 121.12-2]*.
- An elected official of the Nation who violates this Law may be addressed through the removal procedures found the Removal law.

- *Furlough Policy*. The Furlough Policy enables the Nation to implement a furlough as a tool to remedy an operating budget deficit. *[2 O.C. 205.1-1]*.
  - This Law provides that as part of the budget contingency plan, the Oneida Business Committee may require the use of cost saving tools, provided that the use of such complies with all laws of the Nation. *[1 O.C. 121.10-2]*. Cost saving tools may include furloughs. *[1 O.C. 121.10-2(c)]*.
  - Any furloughs made as part of the Nation's budget contingency plan shall be made in accordance with the furlough process provided in the Furlough Policy. *[2 O.C. 205]*.
- *Layoff Policy*. The purpose of the Layoff Policy is to establish a fair, respectful policy for employee layoff and recall which enables the Nation's programs and enterprises to operate effectively and efficiently in varying economic conditions within the parameters of Oneida Nation Seventh Generation mission, priorities, and objectives. *[2 O.C. 207.1-1]*.
  - This Law provides that as part of the budget contingency plan, the Oneida Business Committee may require the use of cost saving tools, provided that the use of such complies with all laws of the Nation. Cost saving tools may include layoffs.
  - Any layoffs made as part of the Nation's budget contingency plan shall be made in accordance with the layoff process provided in the Layoff Policy. *[2 O.C. 207]*.

SECTION 7. OTHER CONSIDERATIONS

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

- *Conclusion.* The Legislative Operating Committee has not yet requested a fiscal impact statement from the Finance Administration.

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

TO:	Ralinda Ninham-Lamberies, Chief Financial Officer
FROM:	Jameson Wilson, Legislative Operating Committee Chairman
DATE:	March 18, 2026
RE:	Budget and Finances Law Amendments Fiscal Impact Statement

The Legislative Operating Committee (LOC) is currently developing amendments to the Budget and Finances law. The Legislative Procedures Act requires that a fiscal impact statement be provided for all proposed legislation of the Nation. *[1 O.C. 109.6-1]*. The fiscal impact statement is an estimate of the total fiscal year financial effects associated with the proposed legislation, and should include:

- startup costs;
- personnel;
- office costs;
- documentation costs; and
- an estimate of the amount of time necessary for an individual or agency to comply with the law after implementation. *[1 O.C. 109.3-1(c)]*.

The fiscal impact statement must be completed and submitted to the LOC prior to the proposed legislation being forwarded to the Oneida Business Committee for consideration. *[1 O.C. 109.6-2]*. The fiscal impact statement provides the Oneida Business Committee information on what the potential adoption of the proposed legislation will cost the Nation, so that the Oneida Business Committee can determine if adoption of the proposed legislation is in the best interest of the Nation.

The Legislative Procedures Act grants the LOC the authority to direct the Finance Department or any agency who may administer a program if the legislation is enacted or may have financial information concerning the subject matter of the legislation to submit a fiscal impact statement. *[1 O.C. 109.6-1]*.

Oneida Business Committee resolution BC-10-28-20-A titled, "*Further Interpretation of 'Fiscal Impact Statement' in the Legislative Procedures Act*" provides further clarification on the process for directing a fiscal impact statement be completed. This resolution provides that upon final approval of draft legislation by the LOC, the LOC may direct the Finance Department to provide a neutral and unbiased fiscal impact statement to the LOC within ten (10) business days for inclusion in adoption materials.

On March 18, 2026, the Legislative Operating Committee approved the final draft of the proposed amendments to the Budget and Finances law. Therefore, the LOC is directing the Finance Department to provide a fiscal impact statement on the proposed amendments to the Budget and Finances law by April 9, 2026.

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A copy of the proposed amendments to the Budget and Finances law, as well as the legislative analysis, have been attached to this memorandum for your convenience.

Requested Action
Provide the LOC a fiscal impact statement of the proposed amendments to the Budget and Finances law by April 9, 2026.

Oneida Nation
Oneida Business Committee
Legislative Operating Committee
PO Box 365 • Oneida, WI 54155-0365
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Legislative Operating Committee
March 18, 2026

Boards, Committees, and Commissions Law Amendments

Submission Date: 2/7/24	**Public Meeting:** N/A
LOC Sponsor: Kirby Metoxen	**Emergency Enacted:** N/A

Summary: *This item was added to the Active Files List on February 7, 2024. On January 10, 2024, the Oneida Business Committee adopted a motion to defer the Board, Committees, Commissions law to the Legislative Operating Committee for a revision of the eligibility on the Board, Committees, Commissions law for any and all veterans to serve on any and all veterans related committees to have open eligibility with no exclusions.*

1/10/24 OBC: Motion by Lawrence Barton to defer the Board, Committees, Commissions law to the Legislative Operating Committee for a revision of the eligibility on the Board, Committees, Commissions law for any and all veterans to serve on any and all veterans related committees to have open eligibility with no exclusions, seconded by Jennifer Webster. Motion carried.

2/7/24 LOC: Motion by Jennifer Webster to add the Boards, Committees, and Commissions law amendments to the Active Files List with Kirby Metoxen as the sponsor; seconded by Jonas Hill. Motion carried unanimously.

2/20/24: *Work Meeting*. Present: Jameson Wilson, Jonas Hill, Kirby Metoxen Clorissa Leeman, Grace Elliott, Lisa Summers, Shannon Davis, Kristal Hill, Maureen Perkins, Fawn Billie. The purpose of this work meeting was for the LOC to review the Boards, Committees, and Commissions law with the Government Administrative Office and discuss potential amendments to be made to the law.

10/24/24: *Work Meeting*. Present: Jameson Wilson, Kirby Metoxen, Jonas Hill, Clorissa Leeman, Grace Elliott, Carolyn Salutz, Maureen Perkins, Kristal Hill, Fawn Cottrell. The purpose of this work meeting was to discuss what topics should be included on the December 2024 LOC community meeting. Ultimately, the LOC decided to include the topics of the Marijuana law, Short Term Rental law, and Boards, Committees, and Commissions law amendments.

11/6/24 LOC: Motion by Kirby Metoxen to approve the Legislative Operating Committee community meeting notice and schedule the community meeting to take place on December 4, 2024; seconded by Marlon Skenandore. Motion carried unanimously.

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11/14/24: *Work Meeting.* Present: Lisa Summers, Brooke Doxtator, Shannon Davis, Amber Martinez, Jameson Wilson, Jonas Hill, Jennifer Webster, Marlon Skenandore, Kristal Hill, Maureen Perkins, Fawn Cottrell, Fawn Billie, Carolyn Salutz. The purpose of this work meeting was to start fresh with reviewing this law for amendments, so we started from the beginning with a line-by-line review. We reviewed the law up to section 105.11. Jenny suggested for the next meeting, we schedule 1.5 hours; we did go over one hour, and this is a lengthy law.

12/4/24: *Community Meeting*. Present: Jameson Wilson, Jonas Hill, Marlon Skenandore, Jennifer Webster, Kirby Metoxen, Clorissa Leeman, Grace Elliott, Fawn Cottrell. Maureen Perkins, Kristal Hill. A community meeting was held from 5:30-7:30p.m. in the cafeteria of the Norbert Hill Center, this law was one of three laws presented for community input.

2/7/25: *Work Meeting*. Present: Mark Powless, Brooke Doxtator, Shannon Davis, Amber Martinez, Krystal John, Jameson Wilson, Jonas Hill, Marlon Skenandore, Kirby Metoxen, Jennifer Webster, Carolyn Salutz. The purpose of this work meeting was to finish a line-by-line review of the law, starting where we finished at the last work meeting. We started at Section 105.11 and were able to finish a line-by-line review of the entire law.

5/21/25: *Work Meeting*. Present: Mark Powless, Brooke Doxtator, Shannon Davis, Amber Martinez, Krystal John, Lisa Summers, Jameson Wilson, Jonas Hill, Marlon Skenandore. Kirby Metoxen, Jennifer Webster, Clorissa Leeman, Grace Elliott, Carolyn Salutz, Kristal Hill, Fawn Cottrell. The purpose of this work meeting was to continue reviewing for potential amendments by doing another read-through. We did a line-by-line read through, stopping at section 105.15.

9/12/25: *Work Meeting*. Present; Jennifer Webster, Kirby Metoxen, Lisa Summers, Brooke Doxtator, Shannon Davis, Amber Martinez, Krystal John, Fawn Billie, Fawn Cottrell, Grace Elliott, Carolyn Salutz. The purpose of this meeting was to continue reviewing edits. Group did not do a read-through, instead we stopped and discussed specific sections. Lisa said she and her team were meeting to discuss what we currently have as section 105.10 Other Responsibilities. Krystal mentioned that I should double check the draft of Sanctions and Penalties to cross reference penalties for noncompliance.

10/27/25: *Work Meeting*. Present: Lisa Summers, Brooke Doxtator, Rhiannon Metoxen, Kristal Hill, Fawn Cottrell, Carolyn Salutz. The purpose of this work meeting was to discuss section 205.10 Other Responsibilities. Lisa Summers wrote suggested language in the chat. Lisa and Brooke had a few other changes – things we changed during the meeting.

2/3/26: *Work Meeting*. Present: Brooke Doxtator, Krystal John, Grace Elliott, Kirby Metoxen, Jameson Wilson, Jennifer Webster, Jonas Hill, Shannon Davis, Mark Powless. The purpose of this work meeting was to review the newest amendments; the amendments now incorporate reference to Standards of Conduct, standards that are currently found in the Code of Ethics law, but on 1/29/26 the LOC made a policy decision to remove BCCs from the Code of Ethics law and in response, those behavioral expectations will need to be found in this law.

2/26/26: *Work Meeting*. Present: Brooke Doxtator, Krystal John, Grace Elliott, Kirby Metoxen, Jameson Wilson, Shannon Davis, Fawn Cottrell, Fawn Billie, Bonnie

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Pigman. The purpose of this work meeting was to review the newest amendments. The group spent majority of the work meeting discussing enforcement.

3/13/26: *Work Meeting*. Present: Brooke Doxtator. Shannon Davis, Kirby Metoxen, Jennifer Webster, Jonas Hill, Grace Elliott, Carolyn Salutz. The purpose of this work meeting was to review with the work group the most recent amendments made, in particular the amendments regarding enforcement. The work group approved the draft.

Next Steps:

- Accept the draft and direct the Legislative Reference Office to complete a Legislative Analysis.

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Title 1. Government and Finances – Chapter 105
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Their laws of the groups we have
BOARDS, COMMITTEES, AND COMMISSIONS

105.1. Purpose and Policy
105.2. Adoption, Amendment, Repeal
105.3. Definitions
105.4. Creation of an Entity
105.5. Applications
105.6. Vacancies
105.7. Appointment to an Entity
105.8. Election to an Entity
105.9. Oath of Office
105.10. Other Responsibilities
105.11. Bylaws
105.12~~1~~ Electronic Polling
105.13~~2~~. Reporting Requirements
105.14~~3~~. Stipends, Reimbursement and Compensation
105.15~~4~~. Official Oneida Nation Email Address
105.16. Standards of Conduct
~~Confidential Information~~
~~105.15. Conflicts of Interest~~
105.17~~6~~. Use of the Nation's Assets
105.18~~7~~. Dissolution of an Entity
105.19~~8~~. Enforcement

105.1. Purpose and Policy

105.1-1. *Purpose.* It is the purpose of this law to govern boards, committees, and commissions of the Nation, including the procedures regarding the appointment and election of individuals ~~persons~~ to boards, committees and commissions, creation of bylaws, maintenance of official records, compensation, to establish clear standards of conduct, and other items related to boards, committees, and commissions.

(a) This law shall not apply to the Oneida Business Committee~~,~~ or standing committees of the Oneida Business Committee.

(b) This law does not apply to Tribal corporations due to the corporate structure and autonomy of those entities.

105.1-2. *Policy.* It is the policy of the Nation to have consistent and standard procedures for choosing and appointing or electing the most qualified individuals ~~persons~~ to boards, committees, and commissions, for creation of bylaws governing boards, committees, and commissions, and for the maintenance of information created by, and for, boards, committees, and commissions.

(a) It is further the policy of the Nation that appointed and elected individuals serving on a board, committee, or commission of the Nation carry themselves in a way that brings honor to the Oneida people and government. They shall walk with integrity, follow the laws of the Nation, and uphold the highest standards of ethical conduct in all their duties. All appointed and elected individuals shall strive to exhibit and uphold the Nation's core values of The Good Mind as expressed by On<yote>a=ka, which includes:

(a) Kahletsyal&sla. The heartfelt encouragement of the best in each of us.
(b) Kanolukhw@sla. Compassion, caring, identity, and joy of being.
(c) Ka>nikuhli=y%. The openness of the good spirit and mind.
(d) Ka>tshatst^sla. The strength of belief and vision as a People.
(e) Kalihwi=y%. The use of the good words about ourselves, our Nation, and our future.
(f) Twahwahts$lay<. All of us are family.
(g) Yukwats$stay<. Our fire, our spirit within each one of us.

105.2. Adoption, Amendment, Repeal

105.2-1. This law was adopted by the Oneida Business Committee by resolution BC-05-14-97-F and amended by resolutions BC-09-27-06-E, BC-09-22-10-C, BC-09-26-18-C, ~~and~~ BC-08-12-20-B, and BC-__-__-__-__.
105.2-2. This law may be amended or repealed by the Oneida Business Committee or the General Tribal Council pursuant to the procedures set out in the Legislative Procedures Act.
105.2-3. Should a provision of this law or the application thereof to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this law which are considered to have legal force without the invalid portions.
105.2-4. In the event of a conflict between a provision of this law and a provision of another law, the provisions of this law shall control.
105.2-5. This law is adopted under authority of the Constitution of the Oneida Nation.

105.3. Definitions

105.3-1. This section shall govern the definitions of words and phrases used within this law. All words not defined herein shall be used in their ordinary and everyday sense.

(a) "Application" means the form by which a person seeks to be appointed to fill a vacancy on an entity.

(b) "Appointment" means the process by which a person is chosen to fill a vacancy on an entity by the Oneida Business Committee.

(c) "BCC Department" means the Boards, Committees, and Commissions Department.

(d) "Business day" means Monday through Friday from 8:00 a.m. to 4:30 p.m., excluding holidays recognized by the Nation.

(e~~d~~) "Bylaws" means a document which provides a framework for the operation and management of a board, committee, or commission of the Nation chiefly for the government of its members and the regulation of its affairs.

(f~~e~~) "Conference" means any training, seminar, meeting, or other assembly of individuals ~~persons~~ which is not an assembly of the entity.

(g~~f~~) "Confidential information" means all information or data, whether printed, written, or oral, concerning business or customers of the Nation, disclosed to, acquired by, or generated by a member of an entity in confidence at any time during their appointed or elected ~~elected or appointed~~ term or during their employment.

(h~~g~~) "Conflict of interest" means any financial, personal, or political interest, actual or implied ~~real or apparent, whether it be personal, financial, political, or otherwise,~~= in which an appointed or elected member or any member of their immediate family ~~official~~, ~~officer, political appointee, employee, contractor, or appointed or elected member, or their immediate family members, friends or associates, or any other person with whom they have contact,~~ has~~ve~~ that conflicts with any right of the Nation to property, information, or any other right to own and operate activities free from undisclosed competition or other violation of such rights of the Nation or to any transaction between the Nation and an outside party. ~~In addition, conflict of interest also means any financial or familial interest an elected official, officer, political appointee, employee, contractor, or appointed or elected member or their immediate family members may have in any transaction between the Nation and an outside party.~~

(i~~h~~) "Direct report" means a position which requires direct contact and supervision by the Oneida Business Committee because of the position, the duties, or the services provided. Direct reports shall be identified by the Oneida Business Committee through resolution.

(j~~i~~) "Entity" means a board, committee or commission created by the General Tribal Council or the Oneida Business Committee whose members are appointed by the Oneida Business Committee or elected by the Nation's membership.

(k~~j~~) "E-poll" means an electronic poll, which is the act of delivering an e-mail to all officials ~~members~~ of an entity, in order to seek a response which identifies a vote in favor of, opposing, or abstaining to an issue requiring approval by the entity.

(l~~k~~) "Fiscal year" means the one (1) year period each year from October 1st to September 30th.

(m) "Joint meeting" means a meeting with the Oneida Business Committee.

(n~~l~~) "Letter" means a written or printed message addressed to a specific person or organization; for the purposes of this law, a letter can be on paper or sent electronically.

(o) "Member" means all individuals who are appointed or elected to serve on a board, committee, or commission created by the Oneida Business Committee or the Oneida General Tribal Council.

(p) "Nation" means the Oneida Nation.

(q~~m~~) "Per d~~D~~iem" means the payment made by the Nation to offset the costs of being on travel on behalf of the ~~Oneida~~ Nation.

~~(n) "Political appointee" means a person appointed by a member of the Oneida Business Committee to provide assistance with the Oneida Business Committee member's daily activities and operations.~~

(r~~o~~) "Political appointee" means a person who assists an elected member of the Oneida Business Committee in their daily activities and operations.

(s) "Prohibited drugs" means marijuana, cocaine, opiates, amphetamines, phencyclidine (PCP), hallucinogens, methaqualone, barbiturates, narcotics, and any other substance included in Schedules I through V, as defined by Section 812 of Title 21 of the United States Code. This also includes prescription medication or over-the-counter medicine used in an unauthorized or unlawful manner.

~~(p)~~ (t) "Secretary" means the person elected and serving as the Nation's Secretary; an officer position of the Oneida Business Committee.

(u) "Stipend" means the amount paid by the ~~Oneida~~ Nation to a person serving on a board, committee, or commission of the Nation in order to compensate the individual for ~~his or her~~their contribution of time, effort, and work for ~~his or her~~their board, committee, or commission for the betterment of the Nation.

(v~~q~~) "Subcommittee" means a subgroup of an entity; which is comprised of fewer than all members of the entity; which is designated one (1) or more specific responsibilities on behalf of the entity.

(w~~r~~) "Substantiated complaint" means a complaint or allegation in a complaint that was found to be valid by clear and convincing evidence.

(x~~s~~) "Task Force or Ad Hoc" means a group of individuals ~~persons~~ gathered to pursue a single goal, the accomplishment of which means the disbanding of the group. The goal is generally accomplished in a short time period, i.e. less than one year, but the goal itself may be long term.

(y~~t~~) "Vacancy" means any position on any board, committee, or commission caused by resignation, end of term, removal, termination, or creation of a new position.

105.4. Creation of an Entity

105.4-1. An entity of the Nation shall be created by a resolution or law adopted by the Oneida Business Committee or General Tribal Council.
105.4-2. The law or resolution establishing the entity shall state the purpose of the entity and all powers and responsibilities delegated to the entity.
105.4-3. The Oneida Business Committee or designee shall be responsible for drafting the initial bylaws of the entity.
105.4-4. The Oneida Business Committee shall be responsible for approving ~~drafting~~ the initial bylaws of the entity.

105.5. Applications

105.5-1. The BCC Department ~~Oneida Business Committee~~ shall approve all applications to serve on an entity of the Nation. All application materials shall be available in ~~the Business Committee Support Office~~ any location identified by, or in the offices of, the BCC Department ~~and any other location specified by the Business Committee Support Office.~~

(a) All applications shall include:

(1) a statement explaining the ~~attendance~~ reporting requirements of section 105.13~~2~~-3; and

(2) a section regarding disclosures of conflicts of interest.

(b) An additional application form shall be required for those entities that require a background investigation. This background investigation application shall include the applicant's social security number and any other information required for a background investigation. The background investigation application shall be solely used for the background investigation and not included in the application materials that are then shared with the Oneida Business Committee, entity, ~~and/~~or the Election Board.

105.5-2. Applications shall be filed with the ~~Business Committee Support Office~~BCC Department by 4:30 p.m. of the deadline date.
105.5-3. Within eight business (8) days after the posted deadline for filing applications, the ~~Business Committee Support Office~~BCC Department shall notify all individuals ~~persons~~ who have filed an application of the date ~~his or her~~ their application was received and if ~~his or her~~their application met the deadline to be considered for the election or appointment.
105.5-4. Applications for elected positions shall be verified according to the Nation's laws, bylaws, ~~and/~~or policies governing elections. Applications for appointed positions shall be verified by the ~~Business Committee Support Office~~BCC Department as needed or as required in the bylaws of the entity.
105.5-5. *Insufficient Applicants*. In the event that there are an insufficient number of applicants after the deadline ~~date~~ has passed for appointed positions, the ~~Business Committee Support Office~~BCC Department may repost. ~~for an additional time period.~~

(a) If the number of applicants is equal to or less than the number of vacancies then it shall be determined to be an insufficient number of applicants.

(b) The ~~Business Committee Support Office~~BCC Department shall notify the Oneida Business Committee if a position will be reposted. ~~for an additional time period.~~

(c) In the event of reposting, prior applicants will be considered to have filed applications within the deadline period.

(d) The Oneida Business Committee may ~~elect to~~ consider ~~include~~ late applicants. ~~within the pool of appointed persons late applications.~~

~~The manner by which an individual fills a vacancy, either through election or appointment, shall determine that member's status as an appointed or official, despite the entity's classification as an appointed or elected entity pursuant to the entity's bylaws.~~

105.6. Vacancies

105.6-1. The manner by which an individual fills a vacancy, either through appointment or election, ~~or appointment,~~ shall determine that member's status as an appointed or elected official, despite the entity's classification as an appointed or elected entity pursuant to the entity's bylaws.

105.6-2. A position on an entity shall be considered vacant in the following situations:

(a) *End of Term.* A vacancy is effective as of 4:30 p.m. of the last day of the month in which the term ends.

(1) Although a position is considered vacant once the term ends, the member of the entity may remain in office until the member's successor has been sworn in by the Oneida Business Committee, provided that the position may not be held by the predecessor for longer than sixty (60) business days, in an effort to prevent a discontinuation of business or a loss of quorum for the entity.

(b) *Removal*. Removal is effective, pursuant to any law ~~and/~~or policy of the Nation regarding removal.

(c) *Termination of Appointment.* A termination is effective upon a two-thirds (2/3) majority vote of the Oneida Business Committee in favor of a member's termination of appointment.

(d) *Resignation*. A resignation is effective upon:

(1) ~~D~~deliverance of a letter to the ~~Business Committee Support Office~~BCC Department and to the Chairperson of the entity, or designee; or

(2) ~~A~~acceptance by motion of the entity of a verbal resignation; and

(3) certification and acceptance by the Secretary.

(e) *New Positions.* Vacancies on new entities are effective upon adoption of bylaws.

105.6-3. An entity shall notify the ~~Business Committee Support Office~~BCC Department as soon as the entity learns that a position has or will become vacant. All notices of vacancy shall be sent to the entities for clarification or confirmation prior to notification to the Oneida Business Committee.

105.6-4. The ~~Business Committee Support Office~~BCC Department shall forward the notice of vacancy to the Secretary. The Secretary shall request and receive approval from the Oneida Business Committee to post the notice of vacancy. The ~~Business Committee Support Office~~BCC Department shall post notice of vacancies at the following times:

(a) *End of Term*. Automatically sixty (60) days prior to completion of the term.

(b) *Removal*. No later than the next Oneida Business Committee meeting following the effective date of the removal.

(c) *Resignation*. No later than the next Oneida Business Committee meeting following the ~~Business Committee Support Office~~BCC Department's receipt of notice of an effective resignation from the entity.

(d) *New Positions*. Upon one of the following conditions:

(1) if not specified, immediately upon the creation of an entity or the adoption of bylaws, whichever is later, or

(2) upon the date specified when creating the entity.

(e) *Termination of appointment*. No later than the next Oneida Business Committee meeting following the effective date of the termination.

105.6-5. Notice of vacancies shall be posted by the ~~Business Committee Support Office~~BCC Department in all official media outlets of the Nation, as determined by the Oneida Business Committee, as well as any other location deemed appropriate by the Secretary.

105.7. Appointment to an Entity

105.7-1. *Appointment Selection.* The following procedures shall be used to determine how the applicant for an appointed position is selected:

(a) Within eight (8) business days after the posted deadline for submitting an application, or within twenty-one (21) business days of the posted deadline if the entity requires a background investigation to be completed as part of the application process, the ~~Business Committee Support Office~~BCC Department shall:

(1) deliver all applications, along with a summary of qualifications to hold office, and the results of the background investigation if required, to each member of the Oneida Business Committee as well as the entity's Chairperson; and

(2) place the appointment for the entity on the next executive session portion of the agenda of a regular or special Oneida Business Committee meeting in which the appointment is intended to be made; or

(3) if delays in compiling the applications, summary of qualifications, or results of any investigations exist, request additional time from the Oneida Business Committee to complete requirements of section 105.7-1(a)(1)-(2).

(b) Each member of the Oneida Business Committee shall review the application materials prior to executive session and be prepared to discuss and select an applicant for appointment.

(1) The entity's Chairperson may review the application materials and submit a recommendation to the ~~Business Committee Support Office~~BCC Department to include in the application materials to be reviewed by ~~a recommendation to~~ the Oneida Business Committee. ~~of an applicant for appointment.~~

(A) The recommendation shall be submitted to the ~~Business Committee Support Office~~BCC Department in accordance with the submission deadlines for the Oneida Business Committee meeting in which the appointment is intended to be made.

(c) The Oneida Business Committee shall have a full and complete discussion of the merits and qualifications of the potential applicants~~,~~ and any recommendation made by the Chairperson of the entity~~,~~ during executive session. After completing a thorough discussion~~,~~ the Oneida Business Committee shall:

(1) select an applicant for appointment;~~,~~ or

(2) ask the ~~Oneida Nation's~~ Secretary to re-notice the vacancy because of ineligible, unqualified, or under qualified applicants.

(d) All appointments shall be made by the Oneida Business Committee during the open session of a regular or special Oneida Business Committee meeting. The Oneida Business Committee shall not appoint an applicant who fails to meet the requirements set out in the entity's bylaws.

(e) During the open session of the regular or special Oneida Business Committee meeting, a member of the Oneida Business Committee may make a motion to appoint an individual. Oneida Business Committee members may:

(1) accept the selected applicant and vote to appoint the individual to the vacant position;~~,~~ or

(2) reject the selected applicant and vote to oppose the appointment.~~ of the individual~~.

(f) If the Oneida Business Committee rejects the selected applicant, the matter will be deferred to the next Oneida Business Committee meeting where another applicant may be recommended by the Oneida Business Committee~~,~~ or the Oneida Business Committee may direct the vacancy to be re-posted. When a vacancy is re-posted under this section, all applications from the first posting shall be considered to have been filed within the deadline period.

105.7-2. *Notification of Appointment*. Once an individual is selected for appointment at an Oneida Business Committee meeting, the ~~Nation's~~ Secretary shall notify all applicants of the final status of their application.

~~(a) The Nation's Chairperson shall forward a list of all applicants to the Nation's Secretary and the final decision regarding the selection after the procedures for selection of an applicant described in section 105.7-1 are completed.~~

(a~~b~~) The ~~Nation's~~ Secretary shall include on the notice to the applicant selected for appointment the following paragraph: "The Oneida Nation reports all income paid by the Oneida Nation in whatever form. The Internal Revenue Service of the United States considers stipends paid to members of boards, committees, and commissions to be income which may be offset by expenses related to that income. You will receive an income report which is also forwarded to the Internal Revenue Service, it is also your responsibility to keep documentation of expenses related to this income."

105.7-3. *Declination of Appointment*. An individual who has been selected for appointment to an entity by the Oneida Business Committee may decline the appointment.

(a) An individual may decline an appointment to an entity in the following ways:

(1) delivery of a letter to the BCC Department stating that the individual wishes to decline the appointment~~ to the Business Committee Support Office~~; or

(2) failure to take the oath of office within thirty (30) days or within two (2) regularly scheduled Oneida Business Committee meetings of being selected for appointment by the Oneida Business Committee.

(b) The ~~Business Committee Support Office~~BCC Department shall notify the Oneida Business Committee if an individual declines an appointment to an entity. The Oneida Business Committee shall then use the original pool of applications for the vacancy posting and the process outlined in section 105.7-1 to select another applicant for appointment.

105.7-4. *Termination of Appointment*. An appointed member of an entity serves at the discretion of the Oneida Business Committee. Upon the recommendation of a member of the Oneida Business Committee or the entity, a member of an appointed entity may have ~~his or her~~their appointment terminated by the Oneida Business Committee.

(a) A two-thirds majority vote of the Oneida Business Committee shall be required in order to terminate the appointment of an individual.

(b) The Oneida Business Committee's decision to terminate an appointment is final and not subject to appeal.

105.8. Election to an Entity

105.8-1. All elected positions shall be nominated at a caucus called by the Oneida Election Board, or apply for ballot placement, in accordance with the Nation's laws ~~and/~~or policies governing elections, except where an entity's bylaws allow for a vacancy to be filled by appointment.

(a) When the Election Board notifies an applicant or nominee that they are ~~he or she is~~ eligible to be placed on the ballot, the following paragraph shall be included: "The Oneida Nation reports all income paid by the Nation in whatever form. The Internal Revenue Service of the United States considers stipends paid to members of boards, committees, and commissions to be income which may be offset by expenses related to that income. You will receive an income report which is also forwarded to the Internal Revenue Service, it is also your responsibility to keep documentation of expenses related to this income."

105.8-2. All other processes for the election of a member of an entity shall be pursuant to ~~as directed by~~ the Nation's laws ~~and/~~or policies governing elections.

105.9. Oath of Office

105.9-1. All appointed and elected positions are official upon taking an oath during a regular or special Oneida Business Committee meeting~~,~~ or at an alternative time and location as determined by the Secretary. All rights and delegated authorities of membership in the entity shall vest upon taking the oath. The ~~Nation's~~ Secretary shall notify the chosen individuals ~~persons~~ when they shall appear for taking the oath.

(a) When taking an oath, the appointed or elected member shall appear in person to take ~~his or her~~their oath, except if granted permission by the Secretary to appear through video conferencing, or through other telecommunications.

(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.

105.9-2. The Oneida Business Committee shall approve wording of oaths. Any revisions of oaths shall be approved by the Oneida Business Committee prior to usage. Oaths shall be kept on file by the ~~Business Committee Support Office~~BCC Department.

105.9-3. Originals of the signed oath, or electronic copies of the originals of the signed oath, shall be maintained by the ~~Business Committee Support Office~~BCC Department. Copies of the oath shall be forwarded to the new member of the entity and the entity.

105.9-4. The following oath is the standard oath to be used unless a specific oath for the entity is pre-approved by the Oneida Business Committee: "I, [name], hereby promise to uphold the laws and regulations of the Oneida Nation, the General Tribal Council, and the Oneida Nation Constitution. I will perform my duties to the best of my ability and on behalf of the Oneida people with honor, respect, dignity, and sincerity and will strictly maintain confidential information. I will carry out the duties and responsibilities as a member of the [entity name], and all recommendations shall be made in the best interest of the Oneida Nation as a whole."

105.9-5. All oaths shall be sufficient to make the appointed or elected member of an entity aware of their duty to the Nation and as members of the entity.

105.10. Other Responsibilities

105.10-1. *Onboarding*. Before a new member begins performing their duties and in addition to taking the oath of office, the new member must complete the entity's onboarding requirements in accordance with an approved standard operating procedure. This procedure shall include, but is not limited to the following:

(a) Conflict of Interest.

(b) Confidentiality Agreement.

(c) Training:

(1) Regarding the Nation and the State of the Nation, in general. Such training may include, but will not be limited to, the Nation's Economic Impact Statement, organizational chart, and government goals and vision.

(2) Regarding the training required by the specific entity's bylaws.

(3) Regarding human resources as determined by the Nation's Human Resources Department to the extent that entity directly supervises employees of the Nation.

105.10-2. *Offboarding*. When a member leaves an entity that member and the BCC Department or the Government Administrative Office shall be responsible for ensuring the member completes offboarding in accordance with an approved standard operating procedure. The offboarding procedure may include, but is not limited to:

(a) Transition of assigned duties and responsibilities.

(b) Return of equipment.

(c) De-activation of email, identification card, and access card.

(d) Exit interview or survey.

105.11~~0~~. Bylaws

105.11~~0~~-1. All entities of the Nation shall have bylaws that conform to the requirements of this law. Bylaws shall become effective upon approval of the Oneida Business Committee, unless ~~where~~ General Tribal Council approval is additionally required.

(a) All existing entities shall comply with this format and present bylaws for adoption within a reasonable time after creation of the entity, or within a reasonable time after adoption or amendment of this law.

(b) Bylaws shall contain at least the minimum information required by law, although more information is not prohibited.

(c) *Exception*. Task Forces and Ad Hoc Committees are excepted from the requirement to have bylaws. However, these entities shall have, at minimum, mission or goal statements for completion of the task.

105.11~~0~~-2. *Articles*. Bylaws shall contain, at a minimum, the following Articles:

(a) Article I. Authority.

(b) Article II. Officers.

(c) Article III. Meetings.

(d) Article IV. Expectations.

(e) Article V. Stipends and Compensation.

(f) Article VI. Records and Reporting.

(g) Article VII. Amendments.

105.11~~0~~-3. *Sections*. Articles shall be divided into the following ~~"s~~Sections~~" as set out~~.

(a) "Article I. Authority" shall consist of the following:

(1) *Name*. The full name of the entity shall be stated, along with any short name that will be officially used.

(2) *Establishment*. This section shall state the citation and name, if any, of the creation document.

(3) *Authority*. This section shall state the purpose for which the entity was created and what, if any, authority the entity is delegated.

(4) *Office*. There shall be listed the official office or post box of the entity.

(5) *Membership*. The following information shall be in this section:

(A) ~~N~~number of members on the entity;

(B) ~~I~~if members on the entity are appointed or elected~~ or appointed~~, and how a member is appointed or elected~~ or appointed~~;

(C) ~~H~~how vacancies are filled; and

(D) ~~Q~~qualifications for membership on the entity.

(i) In order to qualify for membership on an entity, a person shall meet the minimum age requirements set forth for status as a qualified voter of the Nation, unless a law, policy, or directive sets forth a minimum age requirement.

(6) *Termination or Removal.* This section shall identify causes for termination or removal, if any, in addition to those already identified in laws ~~and/~~or policies of the Nation.

(7) *Trainings and Conferences*. This section shall address travel for training and conference. Travel for training and conferences is allowable in accordance with the Nation's travel policies. All entities shall be in compliance with the Nation's travel policies. ~~describe any trainings and/or conferences that the entity deems necessary for members to responsibly serve the entity, if any.~~

(b) "Article II. Officers" shall consist of the following:

(1) *Chairperson and Vice-Chairperson*. This section creates the ~~c~~Chairperson and ~~v~~Vice-~~c~~Chairperson positions of the entity. Other officer positions may also be created here.

(2) *Responsibilities of the Chairperson*. Because of the importance of this position, all duties and responsibilities of the ~~c~~Chairperson, as well as limitations of the ~~c~~Chairperson shall be specifically listed here.

(3) *Responsibilities of the Vice-Chairperson*. Because of the importance of this position, all duties and responsibilities of the ~~v~~Vice-~~c~~Chairperson, as well as limitations of the ~~v~~Vice-~~c~~Chairperson shall be specifically listed here.

(4) *Responsibilities of Additional Officers*. There may be additional sections as needed for every officer position created in subsection one (1) above. These sections shall state all duties and responsibilities of the officer, as well as any limitations of the officer.

(5) *Selection of Officers*. This section shall identify how a member of the entity shall be selected for an official officer position in the entity.

(6) *Purchases and Travel*. This section shall identify how the entity shall approve purchases or travel on behalf of the entity.

(A) An entity shall follow the Nation's policies and procedures regarding purchasing and sign-off authority.

(B) Upon formal approval of a purchase by an entity, the ~~Business Committee Support Office~~BCC Department shall have official budgetary sign off authority for the entity.

(C) An entity shall approve a member's request to travel on behalf of the entity by majority vote at a regular or emergency meeting of the entity.

(7) *Personnel*. This section shall state the entity's authority for hiring personnel, if any, and the duties of such personnel.

(c) "Article III. Meetings" shall consist of the following:

(1) *Regular meetings*. This section shall identify when and where regular meetings shall be held, and how the entity shall provide notice of the meeting agenda, documents, and minutes.

(2) *Emergency meetings*. This section shall identify what constitutes an emergency meeting, how emergency meetings shall be called, and how the entity shall provide notice of the emergency meeting.

(A) All bylaws shall include a provision requiring that within seventy-two (72) hours after an emergency meeting, the entity shall provide the ~~Nation's~~ Secretary with notice of the meeting, the reason for the emergency meeting, and an explanation of why the matter could not wait for a regular meeting.

(3) *Joint Meetings*. This section shall identify if joint meetings shall be held, the frequency and location of joint meetings, and how the entity shall provide notice of the meeting agenda, documents, and minutes.

(4) *Quorum*. This section shall identify how many members of an entity create a quorum.

(5) *Order of Business*. This section sets out how the agenda will be set up.

(6) *Voting*. This section shall identify voting requirements, such as, but not limited to:

(A) the percentages that shall be needed to pass different items;

(B) if, and when, the ~~c~~Chairperson is allowed to vote;

(C) if the use of an e-poll is permissible; and

(D) if the use of an~~d~~ e-poll is permissible, who will serve as the Chairperson's designee for the responsibility of conducting an e-poll, if a designee is utilized.

(d) "Article IV. Expectations" shall consist of the following information:

(1) *Behavior of Members*. This section shall identify the behavioral expectations and requirements of a member of the entity required by this law and any additional expectations and requirements specific to the entity~~,~~ and identify how the entity shall enforce these behavioral expectations.

(2*) Prohibition of Violence*. This section shall prohibit any violent, intentional act committed by a member of the entity that inflicts, attempts to inflict, or threatens to inflict emotional or bodily harm on another person, or damage to property, and set forth any further expectations regarding the prohibition of violence.

(3) *Drug and Alcohol Use*. This section shall prohibit the use of alcohol and prohibited drugs for a member of an entity when acting in their official capacity~~,~~ and set forth any further expectations regarding the use of prohibited drugs and alcohol.

(4) *Social Media*. This section shall identify expectations for the use of social media regarding ~~in regards to~~ official business of the entity.

(5) *Conflict of Interest*. This section shall state any standards and expectations additional to those required by this law ~~of the Nation~~ regarding ~~in regards to~~ conflicts of interest and how they are handled, as well as requirements related to prohibited activities resulting from disclosed conflicts of interest, and means by which a party can alleviate or mitigate the conflict of interest.

(6) *Conflict Resolution.* This section shall address how the entity will handle conflict resolution. At a minimum, the entity's procedures and requirements for conflict resolution shall conform to any policy of the Nation's Human Resources Department.

(7) *Leave of Absence*. This section shall address leave of absence, at a minimum, as it is allowed to employees of the Nation pursuant to policies of the Nation's Human Resources Department.

(e) "Article V. Stipends and Compensation" shall consist of the following information:

(1) *Stipends*. This section shall include a comprehensive list of all stipends members are eligible to receive and the requirements for collecting each stipend, if any, in addition to those contained in this law. This section shall also include the procedure to withhold a member's stipend if a member does not meet the identified requirements needed to collect each stipend.

(2) *Compensation*. This section shall include details regarding all other forms of compensation members are eligible to receive and the requirements for collecting such compensation, if any, in addition to those contained in this law.

(f) "Article VI. Records and Reporting" shall consist of the following information:

(1) *Agenda Items*. Agenda items shall be maintained in a consistent format as identified by this section.

(2) *Minutes*. Minutes shall be typed and in a consistent format designed to generate the most informative record of the meetings of the entity. This may include a summary of action taken by the entity. This section shall identify the format for minutes, and a reasonable timeframe by which minutes shall be submitted to the ~~Business Committee Support Office~~BCC Department.

(3) *Attachments*. Handouts, reports, memoranda, or other relevant documents ~~and the like~~ may be attached to the minutes and agenda, or may be kept separately, provided that all materials can be identified to the meeting in which they were presented. This section shall identify how records of attachments shall be kept.

(4) *Oneida Business Committee Liaison*. Entities shall regularly communicate with the Oneida Business Committee member who is their designated liaison. This section shall identify a format and frequency for communication which may be as the liaison and entity agree to, but not less than that required in any law or policy on reporting developed by the Oneida Business Committee or Oneida General Tribal Council. The ~~purpose of the~~ liaison shall act ~~relationship is to uphold the ability of the liaison to act~~ as a support to that entity.

(5) *Audio Recordings*. An entity shall audio record all meetings. This section shall state how the entity shall audio record meetings~~,~~ and how the entity shall maintain the audio records.

(A) Exception. Audio recordings of executive session portions of a meeting shall not be required.

(g) "Article VII. Amendments" consists of:

(1) *Amendments to Bylaws*. This section shall describe how amendments to the bylaws are made. Any amendments to bylaws shall conform to the requirements of this law and any other policy of the Nation. Amendments to bylaws shall be approved by the Oneida Business Committee, in addition to the General Tribal Council when applicable, prior to implementation.

105.12~~1~~. Electronic Polling

105.12~~1~~-1. An entity may utilize an e-poll when approval of an action may be required before the next available meeting agenda of the entity.

105.12~~1~~-2. *Conducting an E-Poll*. The Chairperson of the entity, or designee, shall e-mail the e-poll to all members of the entity. Requests for an e-poll shall be sent only from an official e-mail address of the entity. The e-poll's message shall include the following information:

~~(a) The e-mail subject line shall begin with "E-poll Request:" and include a short title describing the purpose of the request.~~

~~(b) The body of the e-poll shall contain the following elements:~~

(a~~1~~) ~~An executive~~a summary of the reason for the request and why the request cannot be presented at the next available meeting of the entity; and

~~(2) A proposed motion which shall be in bold and identified in a separate paragraph by the words "Requested Action;"~~

~~(3) All attachments in *.pdf format, which are necessary to understand the request being made; and~~

(b~~4~~) a deadline date for a response. ~~to be returned regarding the results of the electronic poll which shall be in bold and identified in a separate paragraph by the words "Deadline for Response."~~

(1~~A~~) E-poll requests shall be open for response not less than one (1) hour and no more than twenty-four (24) hours.

(2~~B~~) The Chairperson of the entity, or designee, is responsible for creating a time frame for responses ~~shall be determined by the Secretary of the entity, or designee,~~ based on urgency, scheduling, and any other pertinent factors.

105.12~~1~~-3. *Response to an E-Poll.* Only the member of an entity shall respond to an e-poll. A response from a member of an entity shall be valid if received from an official e-mail address of the entity. No responses from unknown e-mails or personal e-mails shall be accepted. An e-poll request shall receive responses from a majority of members of the entity in order to be an official vote.

(a) E-polls that receive at least a majority of supporting votes by the deadline are considered to be approved.

(b) E-polls for which insufficient responses were received by the deadline are considered to have failed to receive support, and result in a denied request.

(c) E-polls that result in a denied request may be reconsidered by the entity at the next available meeting.

(d) The Chairperson, or designee, shall monitor all responses and deadline dates for responses.

105.12~~1~~-4. *Entering an E-Poll in the Record*. Both approved and denied e-poll requests shall be placed on the next meeting agenda of the entity to be entered into the record. The agenda item shall contain the following information:

(a) Original e-poll request and all supporting documentation;

(b) A summary of the e-poll results identifying each member of the entity and ~~his or her~~their response; and

(c) A copy of any comment by a member of the entity if comments are made beyond a vote.

105.13~~2~~. Reporting Requirements

105.13~~2~~-1. *Minutes*. All minutes shall be submitted to the ~~Business Committee Support Office~~BCC Department within a reasonable time after approval by the entity, as identified in the entity's bylaws.

(a) Actions taken by an entity are valid upon approval of the action by vote, unless the bylaws of the entity otherwise require minutes to be approved by the entity before the actions are valid.

(b) Minutes shall be filed according to this section, and any specific directions within approved bylaws.

(c) No action or approval of minutes is required by the Oneida Business Committee on minutes submitted by an entity unless specifically required by the bylaws of that entity.

105.13~~2~~-2. *Standard Operating Procedures*. All standard operating procedures established by an entity shall be submitted to the ~~Business Committee Support Office~~BCC Department~~,~~ where they shall be kept on file.

105.13~~2~~-3. ~~*Quarterly*~~ *Reports to the Oneida Business Committee*. Every fiscal year e~~E~~ntities shall provide ~~quarterly~~ at least two reports to the Oneida Business Committee in accordance with the ~~quarterly~~ reporting schedule approved by the Oneida Business Committee. ~~All quarterly~~ The reports shall be approved by official entity action before they are submitted. The ~~quarterly~~ reports shall not contain any information that conflicts with any law, resolution, or policy of the Nation. At least one (1) member of the entity shall attend the Oneida Business Committee meeting where the ~~quarterly~~ report is an agenda item. ~~Quarterly r~~Reports shall follow a format prescribed by the Oneida Business Committee and contain the following information:

(a) *Contact Information*. The name of the entity, the member submitting the report, the Oneida Business Committee liaison; and a list of the members and their titles, term expiration dates, and contact information.

(b) *Meetings*. When and how often the entity is holding meetings and whether any emergency meetings have been held.

(1) If emergency meetings were held, the report shall indicate the basis of the emergency for each meeting.

(c) *Accomplishments*. Details of what the entity has accomplished since the last report~~that quarter~~, including any special events held during the reporting period and any travel by the members ~~and/~~or staff.

(d) *Goals*. Details of both the entity's long-term goals, the entity's goals for the next ~~quarter~~reporting period, and projected ~~quarterly~~ activities during the next reporting period.

(e) *Budget*. The amount of the entity's budget, the status of the budget~~ at that quarter~~, the amount of each stipend a member may be eligible to receive, how the budget is being utilized by the entity, and projected budgetary uses for the next ~~quarter~~reporting period.

(f) *Requests*. Details of any requests to the Oneida Business Committee.

(g) *Other*. And any other information deemed appropriate by the entity, as well as any other information required by a law or policy of the Nation.

105.13~~2~~-4. *Annual and Semi-Annual Reports to the General Tribal Council*. Entities shall provide annual reports to the Oneida General Tribal Council based on their activities during the previous fiscal year~~,~~ and semi-annual reports based on their activities during the current fiscal year. All annual and semi-annual reports shall follow a format prescribed by the Oneida Business Committee.

(a) Annual and semi-annual reports shall contain information on the number of substantiated complaints against all members of the entity.

(b) Each entity with oversight of a department shall also submit annual and semi-annual reports for each department the entity oversees.

105.13~~2~~-5. Any failure to comply with the reporting requirements may result in the Oneida Business Committee placing a hold on the release of a stipend payment.

105.14~~3~~. Stipends, Reimbursement and Compensation

105.14~~3~~-1. Stipends and reimbursement for expenses shall follow the procedures as set out in this section and according to procedures for payment as set out by the Nation, unless otherwise declined by the entity through its bylaws, or declined by a member.

105.14~~3~~-2. The Oneida Business Committee shall set stipend amounts by resolution. The Oneida Business Committee shall periodically review the amounts provided for stipends and, based on the availability of funds, shall adjust those amounts accordingly by amending the resolution. Stipends are paid in the form of cash or cash equivalent~~, which may include, but is not limited to, gift cards~~.

105.14~~3~~-3. *Meeting Stipends*. A member of an entity shall only receive a meeting stipend for a regular or emergency meeting where a quorum has been established in accordance with the duly adopted bylaws of that entity, that lasts for at least one (1) hour, and the member collecting the stipend is present for the entire meeting. Meetings can occur in person, by telephone, through videoconferencing, or through other telecommunications.

(a) *Meeting Stipends for an Appointed Entity*. An individual serving on an appointed entity shall be paid no more than twelve (12) meeting stipends per fiscal year.

(b) *Meeting Stipends for an Elected Entity*. An individual serving on an elected entity shall be paid no more than twenty-four (24) meeting stipends per fiscal year.

(c) *Demonstrating Presence During a Meeting*. An entity shall demonstrate the presence of its members during a meeting by taking roll call on the record at both the beginning and conclusion of a meeting.

(d) *Technological Issues Affecting Presence During a Meeting*. If a member of an entity experiences a technological issue during a regular or emergency meeting held by telephone, through videoconferencing, or through other telecommunications, and the technological issue disrupts the member's presence during the meeting, the member shall notify the entity of the technological issue as soon as possible.

(1) An exemption to the stipend eligibility requirement to be present for the entire meeting may be granted if the entity certifies by a majority vote that the member

was present for a majority of the meeting despite the technological issue which disrupted the member's presence during the meeting.

105.14~~3~~-4. *Joint Meeting Stipends*. A member of an entity shall only receive a stipend for a joint meeting where a quorum has been established in accordance with the duly adopted bylaws of that entity, that lasts for at least one (1) hour, and the member collecting the stipend is present for the entire meeting. Joint meetings can occur in person, by telephone, through videoconferencing, or through other telecommunications.

(a) An individual shall receive a stipend for ~~his or her~~their attendance at a duly called joint meeting.

(1) A joint meeting stipend does not count towards the limitation on meeting stipends as provided for in section 105.13-3(a)-(b).

(b) *Demonstrating Presence During a Joint Meeting*. An entity shall demonstrate the presence of its members during a joint meeting by taking roll call on the record at both the beginning and conclusion of a joint meeting.

(c) *Technological Issues Affecting Presence During a Joint Meeting*. If a member of an entity experiences a technological issue during a joint meeting held by telephone, through videoconferencing, or through other telecommunications, and the technological issue disrupts the member's presence during the joint meeting, the member shall notify the entity of the technological issue as soon as possible.

(1) An exemption to the stipend eligibility requirement to be present for the entire joint meeting may be granted if the entity certifies by a majority vote that the member was present for a majority of the joint meeting despite the technological issue which disrupted the member's presence during the joint meeting.

105.14~~3~~-5. *Oneida Judiciary Hearings*. A member of an entity shall receive a Judiciary hearing stipend if the member's attendance at the Judiciary hearing is required by official subpoena.

105.14~~3~~-6. *Hearings of an Entity*. A member of an entity that maintains hearing authority may obtain one~~a~~ hearing stipend for conducting a hearing~~s~~ administered by the entity. A hearing consists of all functions related to the resolution of the matter~~ notwithstanding the amount of time it takes to resolve the matter~~, including, but not limited to,~~ any continuations of the hearing and~~ decision drafting. A member may receive additional stipends for any continuation if a continuation is necessary to resolve the matter.

105.14~~3~~-7. *Other Stipends*. The Oneida Business Committee shall determine if, and when, any other stipends are appropriate to compensate members of entities for their official actions. All possible stipends shall be included in the Oneida Business Committee resolution which sets stipend amounts.

105.14-8. *Virtual Meetings*. The entity may hold a virtual meeting pursuant to any requirements established by the Oneida Business Committee and pursuant to any additional requirements established by the entity. At a minimum those requirements for members shall be:

(a) The Chairperson shall open the meeting with an explanation for the record as to why the meeting is being held virtually.

(b) The Chairperson shall take roll call at both the beginning and end of the virtual meeting.

(c) All members shall keep their video camera on during the entire meeting.

(d) The Chairperson shall poll each individual member to vocalize their support, opposition, or abstention to any motion.

105.143-98. ~~*Conferences and Training*~~ *Conferences, Training, and Travel*. An appointed or elected member of any entity~~, elected or appointed,~~ shall be reimbursed in accordance with the Nation's policy for travel and per diem, for attending a conference or training~~. P~~ provided that:

(a) All entities shall be in compliance with the Nation's travel policies.

(b) A member shall be eligible for a stipend for attending a conference or training, when attendance at the conference or training is required by law, bylaw, or resolution.

(1) The amount of the stipend a member is eligible to receive for attendance at a conference or training shall be dependent on whether the member attended up to four (4) hours of a conference or training, or more than four (4) hours of a conference or training.

(c~~b~~) A member shall not be eligible for a conference and training stipend if that training is not required by law, bylaw, or resolution.

(d~~c~~) No stipend payments shall be made for those days spent traveling to and from the conference or training.

(e) The board, committee, or commission approves reimbursement for the member.

105.143-109. *Business Expenses*. All members of entities shall be eligible for reimbursement for normal business expenses naturally related to membership in the entity.

(a) Before a member is eligible for reimbursement of normal business expenses, the board, committee, or commission must approve such expenses.

105.143-110. *Task Force and Ad Hoc Subcommittees*. Members of task force, ad hoc committees and subcommittees shall not be eligible for stipends unless specific exception is made by the Oneida Business Committee or the Oneida General Tribal Council.

105.15. **Official Oneida Nation E-mail Address**.

105.15-1. Each member of an entity shall be provided with an official Oneida e-mail address upon election or appointment for the purpose of conducting business of the entity electronically.

(a) If a member is also an employee of the Nation, they shall receive a separate email address from their regular work e-mail address.

(b) A member of an entity shall have thirty (30) days after appointment or election to activate their official e-mail address.

(c) An individual who holds a position as an ad hoc or alternate member of an entity shall be exempt from the requirement to be provided with an official e-mail address, unless determined that an e-mail address is necessary for the role and responsibilities of the ad hoc or alternate member.

(d) A member of an entity shall sign an acknowledgment form provided by the Secretary indicating notice of the Nation's applicable computer and media related laws, policies, and rules. The Secretary shall maintain a record of all such acknowledgment forms.

(e) A member of an entity shall exclusively use their official e-mail address to electronically conduct any business of the entity.

(f) Immediately upon receipt of notice of a vacancy, the Secretary shall instruct the Digital Technology Services department to disable the e-mail address for the member having vacated the position.

105.164. Standards of Conduct

105.16-1. *Good Mind.* All members shall serve with a Good Mind guided by wisdom, compassion, and responsibility and shall avoid actions or situations that give rise to the appearance of impropriety, undue influence, or favoritism.

105.16-2. *Cultural Accountability*. Members are reminded that their conduct reflects not only on themselves but on the Nation as a whole. They are expected to uphold the teachings of the Good Mind, protect the well-being of the community, and serve with humility, honor, and respect.

105.16-3. *Prohibited Conduct*. Members are expected to walk with the Good Mind, honoring the trust of the people and the teachings of the Great Law of Peace. The following conduct is prohibited as it undermines the integrity of governance, the dignity of the Nation, and the responsibilities entrusted to those who serve. No member shall:

(a) Use their position for personal gain, financial benefit, or advancement of family, friends, or associates.

(b) Engage in any form of bribery, coercion, or undue influence in the performance of their duties.

(c) Misuse or misappropriate Nation resources, including funds, property, or confidential information.

(d) Discriminate against or harass any individual based on race, gender, age, religion, tribal affiliation, or any other protected status.

(e) Retaliate against any person who reports unethical behavior, misconduct, or violations of this law.

(f) Falsify records, reports, or communications related to their official duties.

(g) Accept gifts, gratuities, or honoraria in violation of Section 105.15-10.

(h) Participate in decisions where a conflict of interest exists, as defined in Section 105.15-8.

(j) Engage in nepotism or favoritism in hiring, supervision, or contracting, as prohibited in Section 105.15-9.

(k) Act in a manner that brings dishonor to the Oneida people or undermines the public's trust in the Nation's government.

105.16-4. *Attendance and Meeting Conduct*. Members shall honor their responsibility to participate fully and professionally in the governance of the Nation. Attendance and conduct during meetings reflect the integrity of leadership and the trust placed in members by the Oneida people. Accordingly:

(a) *Commitment to Presence and Preparedness*. Members shall attend all scheduled meetings unless excused or prevented by circumstances beyond their control. Absences should be communicated promptly and with respect for the entity's ability to conduct business. Members are expected to arrive prepared, having reviewed all materials necessary for informed decision making.

(b) *Engagement and Respectful Dialogue*. Meetings shall be conducted in a manner that upholds the Good Mind and fosters constructive dialogue. Members shall:

(1) Actively and thoughtfully participate.

(2) Contribute to deliberations with clarity and respect.

(3) Listen attentively to others, avoid interruptions, and ensure that all voices are heard.

(4) Refrain from conduct that disrupts proceedings or diminishes the dignity of the office.

(c) *Professionalism and Integrity in Deliberation*. Decisions shall be made based on merits, facts, and the collective good of the Nation. Members shall:

(1) Avoid side conversations, electronic distractions, or any behavior that signals disengagement.

(2) Maintain confidentiality of closed-session discussions and sensitive information.

(3) Conduct themselves in a manner that reflects honor, impartiality, and accountability.

(d) *Responsibility for Governance Continuity*. Attendance and participation are essential to the functioning of the Nation's government. Persistent failure to meet these expectations may constitute a breach of trust and be subject to review under enforcement provisions.

105.16-5. *Fair Dealing and Impartiality*. Members shall carry out their duties with fairness, honesty, and impartiality, honoring the trust placed in them by the Oneida people. Members shall:

(a) Refrain from granting special treatment beyond what is available to others under the law.

(b) Make decisions based solely on merit, facts, and the well-being of the Nation, free from bias, favoritism, or personal interest.

(c) Avoid conduct that creates the appearance of impropriety or undermines community trust.

(d) Treat all individuals with respect and dignity, and foster an environment of equity, justice, and inclusion in governmental dealings.

105.16-6. *Accountability and Transparency*. Public service is a sacred responsibility. Members are entrusted by the Oneida people to act with integrity, humility, and accountability. Their actions shall reflect the values of the Nation and honor the trust placed in them by the community.

(a) *Duty to be Accountable*: Members shall be answerable to the Oneida people for their decisions, conduct, and use of authority; explain their actions, accept responsibility for mistakes, and take corrective steps when necessary. Accountability is not only a legal obligation, but also a cultural duty rooted in respect for the people and the teachings of the Good Mind.

(b) *Transparency in Governance.* Transparency is essential to maintaining the good mind and the confidence of the people. Members shall:

(1) conduct public business in a manner that is open, honest, and accessible to the community;

(2) provide timely and accurate information about decisions, policies, and the use of Nation resources; and

(3) ensure that records, reports, and proceedings are maintained and made available in accordance with the laws and customs of the Nation.

(c) *Community Engagement*. Members shall actively seek the voices of the people, respecting the wisdom of elders, the concerns of families, and the guidance of traditional knowledge. Decisions shall reflect the collective good and be made with the understanding that leadership is a service to the Nation, not a privilege.

105.16-7. *Confidentiality* ~~*Information*~~.~~105.14-1.~~ All members of an entity shall maintain in a confidential manner all information obtained through their position on the entity. The Nation requires that all members of an entity who have access to the Nation's confidential information be subject to specific limitations in order to protect the interest of the Nation and ensure that no

individuals ~~persons~~ engaged ~~in~~ by the Nation, nor their relatives or associates, benefit from the use of confidential information.

(a) Confidential information shall be considered and kept as the private and privileged records of the Nation and will not be divulged to any person, firm, corporation, or other entity except by direct written authorization of the Oneida Business Committee.

(b) A member of an entity will continue to treat as private and privileged any confidential information, and will not release any such information to any person, firm, corporation, or other entity, either by statement, deposition, or as a witness, except upon direct written authority of Oneida Business Committee, and the Nation shall be entitled to an injunction by any competent court to enjoin and restrain the unauthorized disclosure of such information. Such restriction continues after termination of the relationship with the Nation and the entity.

(c) Upon completion or termination of ~~his or her~~their appointed or elected ~~or appointed~~ term of membership in an entity, for any cause ~~whatsoever~~, the member of the entity will surrender to the Nation, in good condition, all records kept by the member of the entity.

(d) No member of an entity shall disclose confidential information acquired by reason of ~~his~~ their other relationship or status with the Nation for ~~his or her~~ their personal advantage, gain, or profit, or for the advantage, gain, or profit of a relative or associate~~.~~

(e) If a member does intentionally disclose confidential information, that member will be subject to fines or penalties set forth in a fine and penalty schedule adopted by the Oneida Business Committee.

~~105.14-8.~~ (f) Any records created or obtained while serving as a member~~n official~~ of an entity are the property of the Nation and shall only be removed or destroyed by approval from a majority vote of the entity at a duly called meeting. All removal or destruction of documents shall be made in accordance with the Nation's laws and policies governing open records and open meetings.

~~105.14-3. *Official Oneida Nation E-mail Address*. Each member of an entity shall be provided an official Oneida e-mail address upon election or appointment for the purpose of conducting business of the entity electronically.~~

~~(a) If a member is also an employee of the Nation, he or she shall receive a separate email address from his or her regular work e-mail address.~~

~~(b) A member of an entity shall have thirty (30) days upon election or appointment to an entity to activate his or her e-mail address.~~

~~(c) An individual who holds a position as an ad hoc or alternate member of an entity shall be exempt from the requirement to be provided an official e-mail address, unless determined that an e-mail address is necessary for the role and responsibilities of the ad hoc or alternate member.~~

~~(d) A member of an entity shall sign an acknowledgment form provided by the Nation's Secretary indicating notice of the Nation's applicable computer and media related laws, policies and rules. The Nation's Secretary shall maintain a record of all such acknowledgment forms.~~

~~(e) A member of an entity shall exclusively use his or her official e-mail address to electronically conduct any business of the entity, and shall not use a personal or work e-mail address to electronically conduct any business of the entity.~~

~~(f) Immediately upon receipt of notice of an entity vacancy, the Nation's Secretary shall instruct the Management Information Systems department to disable the e-mail address for the member having vacated the position.~~

105.16~~5~~-8. *Conflicts of Interest.* ~~05.15-1. All members of an entity are required to adhere to the Nation's laws and policies governing conflicts of interest.105.15-2. A m~~Members of an entity shall disclose a conflict of interest in writing to the ~~Nation's~~ Secretary as soon as the conflict arises and update a conflict of interest disclosure form with the ~~Nation's~~ Secretary on an annual basis.

(a) *Disclosure Forms.*

(1) The Oneida Law Office shall create both annual and as-needed disclosure forms.

(2) The Office of the Oneida Nation Secretary shall distribute, collect, and maintain these disclosure forms.

(3) All members shall submit disclosure forms annually and within a reasonable time after a conflict arises or becomes known.

(b~~a~~) Upon receiving information of a potential conflict of interest, the ~~Nation's~~ Secretary shall request a determination from the Oneida Law Office whether further action shall be taken by the Nation regarding the status of the official.

(1) All entities may develop an internal conflict of interest mitigation plan for eligible conflicts in consultation with the Oneida Law Office, the Nation's Human Resources Department, and other departments of the Nation as needed.

~~105.15-3.~~ (c) *Ineligibility Due to Conflicts of Interest*. Due to the potential for an actual or implied ~~a real or perceived~~ conflict of interest ~~to exist~~, the following individuals ~~shall~~ may not be eligible to serve on an appointed or elected entity unless they obtain approval from their immediate supervisor; the individual may also be required to complete a conflict mitigation plan:

(1~~a~~) political appointees;

(2~~b~~) an employee of the Nation's Internal Audit Department, Finance Administration, Oneida Law Office, ~~Business Committee Support Office~~BCC Department, Government Administrative Office, or Intergovernmental Affairs ~~and Communications~~; and

(3~~c~~) an employee who serves as a direct report to the Oneida Business Committee or the Chief Executive Officer of Nation Services. ~~General Manager~~.

(d) *Ongoing Duty to Disclose*. Members who become aware of a conflict of interest shall promptly disclose and comply with the requirements of the conflict of interest mitigation plan.

105.16-9. *Nepotism Prohibited.* The Oneida people expect their leaders to act with integrity and impartiality. Avoiding nepotism is essential to maintaining the trust between the government and the community, and to ensuring that all Oneida people have equal opportunity to serve and contribute to the Nation.

(a) *Commitment to Fairness*. Members shall be guided by fairness, respect, and the Good Mind. Favoring family members in employment, appointments, or decision-making undermines the trust of the people and disrupts the balance that is essential to good governance.

(b) *Preferential Treatment Prohibited.* No member shall use their position to secure employment, advancement, contracts, or other benefits for immediate family members or

close relatives. All decisions shall be made based on merit, qualifications, and the best interests of the Nation.

(c) *Employment and Oversight Restrictions*. No member shall supervise, evaluate, or participate in employment decisions involving a family member. The Nation shall implement procedures to ensure that hiring and promotion processes are free from undue influence and favoritism.

105.16-10. *Gifts and Honorarium*.

(a) *Prohibition on Gifts for Business Privilege.* No member shall accept any gift, gratuity, or honorarium of any value in exchange for, or as a condition of, doing business with the Nation.

(b) *Reporting Requirements*. Members shall report any gift, honorarium, or sponsored event with a fair market value of $1000 or more that is given in connection with activities organized by or participated in on behalf of the Nation.

(1) Sponsored events not paid for or reimbursed by the Nation or another government entity for official duties, including fundraisers, social events, recreational events, or entertainment events and any associated travel costs must be recorded as a gift.

(2) Travel provided or reimbursed by a federal, state, or tribal government entity for the purpose of carrying out official government functions, such as tribal consultations, meetings, or trainings, is considered official business and is not reportable under this section.

(c) *Gift Disclosure Form and Public Record*. Gifts or gratuities meeting the criteria in 105.15-10(a) shall be documented using the Gift Disclosure Form and submitted to the Office of the Nation's Secretary within ten (10) business days of receipt.

(1) The Office of the Secretary shall maintain a public record of all reported gifts and honoraria; and

(2) The Oneida Law Office shall maintain and update the Gift Disclosure Form and related procedures.

(d) *Gifts below the Reporting Threshold*. Gifts or honoraria valued at $999.00 or less are not required to be reported on the Gift Disclosure Form.

(e) *Cultural and Ceremonial Gifts*. Gifts given in the context of traditional, ceremonial, or cultural exchange may be exempt from reporting requirements, provided they are not of significant monetary value and do not create a conflict of interest. Members are encouraged to consult with the Oneida Law Office when in doubt.

105.17~~6~~. Use of the Nation's Assets

105.17~~6~~-1. Entities shall maintain all bank accounts for the Nation's funds in the name of the ~~Oneida~~ Nation. Bank accounts will be reflected on the ~~Oneida~~ Nation's books in accordance with Generally Accepted Accounting Principles.

105.17~~6~~-2. Each member of an entity shall comply with the system of internal accounting controls sufficient to provide assurances that:

(a) all transactions are executed in accordance with management's authorization; and

(b) access to assets is permitted only in accordance with management's authorization; and

(c) all transactions are recorded to permit preparation of financial statements in conformity with Generally Accepted Accounting Principles or other applicable criteria.

105.17~~6~~-3. Any evidence of noncompliance with any policy regarding the use of the Nation's ~~tribal~~ assets shall be immediately reported to the Internal Audit department. If the Internal Audit ~~d~~department finds evidence of noncompliance, they shall notify the Oneida Law Office, who will then provide a recommendation to the Government Administrative Office on how to proceed. ~~make a determination of further action to be taken, if any~~.

105.18~~7~~. Dissolution of an Entity

105.18~~7~~-1. *Dissolution of a Task Force or Ad Hoc Committee*. A task force or ad hoc committee dissolves upon a set date or acceptance of a final report. Unless otherwise indicated, the materials generated by a task force or ad hoc committee shall be forwarded to the ~~Business Committee Support Office~~BCC Department for proper disposal within ~~two~~ four (~~2~~4) weeks of the dissolution.

105.18~~7~~-2. *Dissolution of an Entity.* All other entities of the Nation shall be dissolved only by motion of the Oneida General Tribal Council or the Oneida Business Committee.

105.18~~7~~-3. *Notice of Dissolution*. Within five (5) business days of the Oneida General Tribal Council or the Oneida Business Committee taking official action to dissolve an entity, the Oneida Business Committee shall provide the entity written notice of the dissolution.

105.18~~7~~-4. *Management of Records and Materials*. All Chairpersons and Secretaries of dissolved entities shall be responsible for finalizing ~~closing out~~ open business of the entity and forwarding all materials and records to the ~~Business Committee Support Office~~BCC Department for proper storage and disposal within ~~two~~ four (~~2~~4) weeks of dissolution. The entity shall not alter or destroy any records. The ~~Business Committee Support Office~~BCC Department may utilize the assistance of the Records Management Department ~~and/~~or any other appropriate department for the storage and disposal of the records and materials.

(a) The entity may request the Oneida Business Committee to grant an ~~one (1) week~~ extension of the time allowed to close out open business of the entity and forward all materials and records to the ~~Business Committee Support Office~~BCC Department.

105.19~~8~~. Enforcement

105.19~~8~~-1. Any appointed member of an entity found to be in violation of this law may be subject to:

(a) termination of appointment by the Oneida Business Committee;

(b) loss of stipend; or

(1) When an appointed member's stipend is withheld, the Secretary shall submit written notices to the member, the entity's Chairperson or Vice-Chairperson, as applicable, and the BCC Department.

(c) Any other penalty identified by the entity in the entity's bylaws.

105.19-2. Any elected member of an entity found to be in violation of this law may be subject to:

(a) loss of stipend or any other sanction~~s~~ and penalty~~ies~~ in accordance with any laws or policies of the Nation governing sanctions and~~/or~~ penalties;

(b) removal pursuant to any laws or policies of the Nation~~'s~~ governing removal; or

(c) any other penalty identified by the entity in the entity's bylaws.

~~, if the individual is a member of an elected entity; or~~

~~(c) termination of appointment by the Oneida Business Committee, if the individual is a member of an appointed entity.~~

105.19-3. All entities shall identify in their bylaws the procedures for withholding a member's stipend and any other sanctions or penalties identified by that entity as long as those sanctions or penalties meet the requirements of this law and all other laws, policies, and rules of the Nation.
105.19-4. *Appeal*. If applicable, a member shall have the right to appeal an enforcement action pursuant to the requirements and procedures regarding appeals of the law under which the member received a sanction or penalty.

End.

Adopted - BC-08-02-95-A
Amended - BC-05-14-97-F
Emergency Amended - BC-04-12-06-JJ Amended - BC-09-27-06-E (permanent adoption of emergency amendments)
Amended – BC-09-22-10-C
Amended – BC-09-26-18-C
Emergency Amended – BC-03-11-20-B
Emergency Amended – BC-03-17-20-C
Amended – BC-08-12-20-B

Title 1. Government and Finances – Chapter 105
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BOARDS, COMMITTEES, AND COMMISSIONS

105.1. Purpose and Policy
105.2. Adoption, Amendment, Repeal
105.3. Definitions
105.4. Creation of an Entity
105.5. Applications
105.6. Vacancies
105.7. Appointment to an Entity
105.8. Election to an Entity
105.9. Oath of Office
105.10. Other Responsibilities
105.11. Bylaws
105.12 Electronic Polling
105.13. Reporting Requirements
105.14. Stipends, Reimbursement and Compensation
105.15. Official Oneida Nation Email Address
105.16. Standards of Conduct
105.17. Use of the Nation's Assets
105.18. Dissolution of an Entity
105.19. Enforcement

105.1. Purpose and Policy

105.1-1. *Purpose*. It is the purpose of this law to govern boards, committees, and commissions of the Nation, including the procedures regarding the appointment and election of individuals to boards, committees and commissions, creation of bylaws, maintenance of official records, compensation, to establish clear standards of conduct, and other items related to boards, committees, and commissions.

(a) This law shall not apply to the Oneida Business Committee or standing committees of the Oneida Business Committee.

(b) This law does not apply to Tribal corporations due to the corporate structure and autonomy of those entities.

105.1-2. *Policy*. It is the policy of the Nation to have consistent and standard procedures for choosing and appointing or electing the most qualified individuals to boards, committees, and commissions, for creation of bylaws governing boards, committees, and commissions, and for the maintenance of information created by, and for, boards, committees, and commissions.

(a) It is further the policy of the Nation that appointed and elected individuals serving on a board, committee, or commission of the Nation carry themselves in a way that brings honor to the Oneida people and government. They shall walk with integrity, follow the laws of the Nation, and uphold the highest standards of ethical conduct in all their duties. All appointed and elected individuals shall strive to exhibit and uphold the Nation's core values of The Good Mind as expressed by On<yote>a=ka, which includes:

(a) Kahletsyal&sla. The heartfelt encouragement of the best in each of us.
(b) Kanolukhw@sla. Compassion, caring, identity, and joy of being.
(c) Ka>nikuhli=y%. The openness of the good spirit and mind.
(d) Ka>tshatst^sla. The strength of belief and vision as a People.
(e) Kalihwi=y%. The use of the good words about ourselves, our Nation, and our future.
(f) Twahwahts$lay<. All of us are family.
(g) Yukwats$stay<. Our fire, our spirit within each one of us.

105.2. Adoption, Amendment, Repeal

105.2-1. This law was adopted by the Oneida Business Committee by resolution BC-05-14-97-F and amended by resolutions BC-09-27-06-E, BC-09-22-10-C, BC-09-26-18-C, BC-08-12-20-B, and BC-__-___-___-__.
105.2-2. This law may be amended or repealed by the Oneida Business Committee or the General Tribal Council pursuant to the procedures set out in the Legislative Procedures Act.
105.2-3. Should a provision of this law or the application thereof to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this law which are considered to have legal force without the invalid portions.
105.2-4. In the event of a conflict between a provision of this law and a provision of another law, the provisions of this law shall control.
105.2-5. This law is adopted under authority of the Constitution of the Oneida Nation.

105.3. Definitions
105.3-1. This section shall govern the definitions of words and phrases used within this law. All words not defined herein shall be used in their ordinary and everyday sense.

(a) "Application" means the form by which a person seeks to be appointed to fill a vacancy on an entity.
(b) "Appointment" means the process by which a person is chosen to fill a vacancy on an entity by the Oneida Business Committee.
(c) “BCC Department” means the Boards, Committees, and Commissions Department.
(d) “Business day” means Monday through Friday from 8:00 a.m. to 4:30 p.m., excluding holidays recognized by the Nation.
(e) “Bylaws” means a document which provides a framework for the operation and management of a board, committee, or commission of the Nation chiefly for the government of its members and the regulation of its affairs.
(f) “Conference” means any training, seminar, meeting, or other assembly of individuals which is not an assembly of the entity.
(g) “Confidential information” means all information or data, whether printed, written, or oral, concerning business or customers of the Nation, disclosed to, acquired by, or generated by a member of an entity in confidence at any time during their appointed or elected term or during their employment.
(h) “Conflict of interest” means any financial, personal, or political interest, actual or implied = in which an appointed or elected member or any member of their immediate family , has that conflicts with any right of the Nation to property, information, or any other right to own and operate activities free from undisclosed competition or other violation of such rights of the Nation or to any transaction between the Nation and an outside party.
(i) “Direct report” means a position which requires direct contact and supervision by the Oneida Business Committee because of the position, the duties, or the services provided. Direct reports shall be identified by the Oneida Business Committee through resolution.
(j) "Entity" means a board, committee or commission created by the General Tribal Council or the Oneida Business Committee whose members are appointed by the Oneida Business Committee or elected by the Nation’s membership.
(k) “E-poll” means an electronic poll, which is the act of delivering an e-mail to all officials of an entity, in order to seek a response which identifies a vote in favor of, opposing, or abstaining to an issue requiring approval by the entity.

(l) “Fiscal year” means the one (1) year period each year from October 1st to September 30th.
(m) “Joint meeting” means a meeting with the Oneida Business Committee.
(n) “Letter” means a written or printed message addressed to a specific person or organization; for the purposes of this law, a letter can be on paper or sent electronically.
(o) “Member” means all individuals who are appointed or elected to serve on a board, committee, or commission created by the Oneida Business Committee or the Oneida General Tribal Council.
(p) “Nation” means the Oneida Nation.
(q) “Per diem” means the payment made by the Nation to offset the costs of being on travel on behalf of the Nation.
(r) “Political appointee” means a person who assists an elected member of the Oneida Business Committee in their daily activities and operations.
(s) “Prohibited drugs” means marijuana, cocaine, opiates, amphetamines, phencyclidine (PCP), hallucinogens, methaqualone, barbiturates, narcotics, and any other substance included in Schedules I through V, as defined by Section 812 of Title 21 of the United States Code. This also includes prescription medication or over-the-counter medicine used in an unauthorized or unlawful manner.
(t) “Secretary” means the person elected and serving as the Nation’s Secretary; an officer position of the Oneida Business Committee.
(u) “Stipend” means the amount paid by the Nation to a person serving on a board, committee, or commission of the Nation in order to compensate the individual for their contribution of time, effort, and work for their board, committee, or commission for the betterment of the Nation.
(v) “Subcommittee” means a subgroup of an entity; which is comprised of fewer than all members of the entity; which is designated one (1) or more specific responsibilities on behalf of the entity.
(w) “Substantiated complaint” means a complaint or allegation in a complaint that was found to be valid by clear and convincing evidence.
(x) "Task Force or Ad Hoc" means a group of individuals gathered to pursue a single goal, the accomplishment of which means the disbanding of the group. The goal is generally accomplished in a short time period, i.e. less than one year, but the goal itself may be long term.
(y) "Vacancy" means any position on any board, committee, or commission caused by resignation, end of term, removal, termination, or creation of a new position.

105.4. Creation of an Entity
105.4-1. An entity of the Nation shall be created by a resolution or law adopted by the Oneida Business Committee or General Tribal Council.
105.4-2. The law or resolution establishing the entity shall state the purpose of the entity and all powers and responsibilities delegated to the entity.
105.4-3. The Oneida Business Committee or designee shall be responsible for drafting the initial bylaws of the entity.
105.4-4. The Oneida Business Committee shall be responsible for approving the initial bylaws of the entity.

105.5. Applications

105.5-1. The BCC Department shall approve all applications to serve on an entity of the Nation. All application materials shall be available in any location identified by, or in the offices of, the BCC Department

(a) All applications shall include:

(1) a statement explaining the reporting requirements of section 105.13-3; and

(2) a section regarding disclosures of conflicts of interest.

(b) An additional application form shall be required for those entities that require a background investigation. This background investigation application shall include the applicant's social security number and any other information required for a background investigation. The background investigation application shall be solely used for the background investigation and not included in the application materials that are then shared with the Oneida Business Committee, entity, or the Election Board.

105.5-2. Applications shall be filed with the BCC Department by 4:30 p.m. of the deadline date.

105.5-3. Within eight business (8) days after the posted deadline for filing applications, the BCC Department shall notify all individuals who have filed an application of the date their application was received and if their application met the deadline to be considered for the election or appointment.

105.5-4. Applications for elected positions shall be verified according to the Nation's laws, bylaws, or policies governing elections. Applications for appointed positions shall be verified by the BCC Department as needed or as required in the bylaws of the entity.

105.5-5. *Insufficient Applicants*. In the event that there are an insufficient number of applicants after the deadline has passed for appointed positions, the BCC Department may repost.

(a) If the number of applicants is equal to or less than the number of vacancies then it shall be determined to be an insufficient number of applicants.

(b) The BCC Department shall notify the Oneida Business Committee if a position will be reposted.

(c) In the event of reposting, prior applicants will be considered to have filed applications within the deadline period.

(d) The Oneida Business Committee may consider late applicants.

105.6. Vacancies

105.6-1. The manner by which an individual fills a vacancy, either through appointment or election, shall determine that member's status as an appointed or elected official, despite the entity's classification as an appointed or elected entity pursuant to the entity's bylaws.

105.6-2. A position on an entity shall be considered vacant in the following situations:

(a) *End of Term.* A vacancy is effective as of 4:30 p.m. on the last day of the month in which the term ends.

(1) Although a position is considered vacant once the term ends, the member of the entity may remain in office until the member's successor has been sworn in by the Oneida Business Committee, provided that the position may not be held by the predecessor for longer than sixty (60) business days, in an effort to prevent a discontinuation of business or a loss of quorum for the entity.

(b) *Removal*. Removal is effective, pursuant to any law or policy of the Nation regarding removal.

(c) *Termination of Appointment.* A termination is effective upon a two-thirds (2/3) majority vote of the Oneida Business Committee in favor of a member's termination of appointment.

(d) *Resignation*. A resignation is effective upon:

(1) deliverance of a letter to the BCC Department and to the Chairperson of the entity, or designee; or

(2) acceptance by motion of the entity of a verbal resignation; and

(3) certification and acceptance by the Secretary.

(e) *New Positions.* Vacancies on new entities are effective upon adoption of bylaws.

105.6-3. An entity shall notify the BCC Department as soon as the entity learns that a position has or will become vacant. All notices of vacancy shall be sent to the entities for clarification or confirmation prior to notification to the Oneida Business Committee.

105.6-4. The BCC Department shall forward the notice of vacancy to the Secretary. The Secretary shall request and receive approval from the Oneida Business Committee to post the notice of vacancy. The BCC Department shall post notice of vacancies at the following times:

(a) *End of Term*. Automatically sixty (60) days prior to completion of the term.

(b) *Removal*. No later than the next Oneida Business Committee meeting following the effective date of the removal.

(c) *Resignation*. No later than the next Oneida Business Committee meeting following the BCC Department's receipt of notice of an effective resignation from the entity.

(d) *New Positions*. Upon one of the following conditions:

(1) if not specified, immediately upon the creation of an entity or the adoption of bylaws, whichever is later, or

(2) upon the date specified when creating the entity.

(e) *Termination of appointment*. No later than the next Oneida Business Committee meeting following the effective date of the termination.

105.6-5. Notice of vacancies shall be posted by the BCC Department in all official media outlets of the Nation, as determined by the Oneida Business Committee, as well as any other location deemed appropriate by the Secretary.

105.7. Appointment to an Entity

105.7-1. *Appointment Selection.* The following procedures shall be used to determine how the applicant for an appointed position is selected:

(a) Within eight (8) business days after the posted deadline for submitting an application, or within twenty-one (21) business days of the posted deadline if the entity requires a background investigation to be completed as part of the application process, the BCC Department shall:

(1) deliver all applications, along with a summary of qualifications to hold office, and the results of the background investigation if required, to each member of the Oneida Business Committee as well as the entity's Chairperson; and

(2) place the appointment for the entity on the next executive session portion of the agenda of a regular or special Oneida Business Committee meeting in which the appointment is intended to be made; or

(3) if delays in compiling the applications, summary of qualifications, or results of any investigations exist, request additional time from the Oneida Business Committee to complete requirements of section 105.7-1(a)(1)-(2).

(b) Each member of the Oneida Business Committee shall review the application materials prior to executive session and be prepared to discuss and select an applicant for appointment.

(1) The entity's Chairperson may review the application materials and submit a recommendation to the BCC Department to include in the application materials to be reviewed by the Oneida Business Committee.

(A) The recommendation shall be submitted to the BCC Department in accordance with the submission deadlines for the Oneida Business Committee meeting in which the appointment is intended to be made.

(c) The Oneida Business Committee shall have a full and complete discussion of the merits and qualifications of the potential applicants and any recommendation made by the Chairperson of the entity during executive session. After completing a thorough discussion the Oneida Business Committee shall:

(1) select an applicant for appointment; or

(2) ask the Secretary to re-notice the vacancy because of ineligible, unqualified, or under qualified applicants.

(d) All appointments shall be made by the Oneida Business Committee during the open session of a regular or special Oneida Business Committee meeting. The Oneida Business Committee shall not appoint an applicant who fails to meet the requirements set out in the entity's bylaws.

(e) During the open session of the regular or special Oneida Business Committee meeting, a member of the Oneida Business Committee may make a motion to appoint an individual. Oneida Business Committee members may:

(1) accept the selected applicant and vote to appoint the individual to the vacant position; or

(2) reject the selected applicant and vote to oppose the appointment.

(f) If the Oneida Business Committee rejects the selected applicant, the matter will be deferred to the next Oneida Business Committee meeting where another applicant may be recommended by the Oneida Business Committee or the Oneida Business Committee may direct the vacancy to be re-posted. When a vacancy is re-posted under this section, all applications from the first posting shall be considered to have been filed within the deadline period.

105.7-2. *Notification of Appointment*. Once an individual is selected for appointment at an Oneida Business Committee meeting, the Secretary shall notify all applicants of the final status of their application.

(a) The Secretary shall include on the notice to the applicant selected for appointment the following paragraph: "The Oneida Nation reports all income paid by the Oneida Nation in whatever form. The Internal Revenue Service of the United States considers stipends paid to members of boards, committees, and commissions to be income which may be offset by expenses related to that income. You will receive an income report which is also forwarded to the Internal Revenue Service, it is also your responsibility to keep documentation of expenses related to this income."

105.7-3. *Declination of Appointment*. An individual who has been selected for appointment to an entity by the Oneida Business Committee may decline the appointment.

(a) An individual may decline an appointment to an entity in the following ways:

(1) delivery of a letter to the BCC Department stating that the individual wishes to decline the appointment; or
(2) failure to take the oath of office within thirty (30) days or within two (2) regularly scheduled Oneida Business Committee meetings of being selected for appointment by the Oneida Business Committee.

(b) The BCC Department shall notify the Oneida Business Committee if an individual declines an appointment to an entity. The Oneida Business Committee shall then use the original pool of applications for the vacancy posting and the process outlined in section 105.7-1 to select another applicant for appointment.

105.7-4. *Termination of Appointment*. An appointed member of an entity serves at the discretion of the Oneida Business Committee. Upon the recommendation of a member of the Oneida Business Committee or the entity, a member of an appointed entity may have their appointment terminated by the Oneida Business Committee.

(a) A two-thirds majority vote of the Oneida Business Committee shall be required in order to terminate the appointment of an individual.

(b) The Oneida Business Committee's decision to terminate an appointment is final and not subject to appeal.

105.8. Election to an Entity

105.8-1. All elected positions shall be nominated at a caucus called by the Oneida Election Board, or apply for ballot placement, in accordance with the Nation's laws or policies governing elections, except where an entity's bylaws allow for a vacancy to be filled by appointment.

(a) When the Election Board notifies an applicant or nominee that they are eligible to be placed on the ballot, the following paragraph shall be included: "The Oneida Nation reports all income paid by the Nation in whatever form. The Internal Revenue Service of the United States considers stipends paid to members of boards, committees, and commissions to be income which may be offset by expenses related to that income. You will receive an income report which is also forwarded to the Internal Revenue Service, it is also your responsibility to keep documentation of expenses related to this income."

105.8-2. All other processes for the election of a member of an entity shall be pursuant to the Nation's laws or policies governing elections.

105.9. Oath of Office

105.9-1. All appointed and elected positions are official upon taking an oath during a regular or special Oneida Business Committee meeting or at an alternative time and location as determined by the Secretary. All rights and delegated authorities of membership in the entity shall vest upon taking the oath. The Secretary shall notify the chosen individuals when they shall appear for taking the oath.

(a) When taking an oath, the appointed or elected member shall appear in person to take their oath, except if granted permission by the Secretary to appear through video conferencing, or through other telecommunications.

(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.

105.9-2. The Oneida Business Committee shall approve wording of oaths. Any revisions of oaths shall be approved by the Oneida Business Committee prior to usage. Oaths shall be kept on file by the BCC Department.

105.9-3. Originals of the signed oath, or electronic copies of the originals of the signed oath, shall be maintained by the BCC Department. Copies of the oath shall be forwarded to the new member of the entity and the entity.
105.9-4. The following oath is the standard oath to be used unless a specific oath for the entity is pre-approved by the Oneida Business Committee: "I, [name], hereby promise to uphold the laws and regulations of the Oneida Nation, the General Tribal Council, and the Oneida Nation Constitution. I will perform my duties to the best of my ability and on behalf of the Oneida people with honor, respect, dignity, and sincerity and will strictly maintain confidential information. I will carry out the duties and responsibilities as a member of the [entity name], and all recommendations shall be made in the best interest of the Oneida Nation as a whole."
105.9-5. All oaths shall be sufficient to make the appointed or elected member of an entity aware of their duty to the Nation and as members of the entity.

105.10. Other Responsibilities
105.10-1. *Onboarding*. Before a new member begins performing their duties and in addition to taking the oath of office, the new member must complete the entity's onboarding requirements in accordance with an approved standard operating procedure. This procedure shall include, but is not limited to the following:

(a) Conflict of Interest.
(b) Confidentiality Agreement.
(c) Training:
(1) Regarding the Nation and the State of the Nation, in general. Such training may include, but will not be limited to, the Nation's Economic Impact Statement, organizational chart, and government goals and vision.
(2) Regarding the training required by the specific entity's bylaws.
(3) Regarding human resources as determined by the Nation's Human Resources Department to the extent that entity directly supervises employees of the Nation.

105.10-2. *Offboarding*. When a member leaves an entity that member and the BCC Department or the Government Administrative Office shall be responsible for ensuring the member completes offboarding in accordance with an approved standard operating procedure. The offboarding procedure may include, but is not limited to:

(a) Transition of assigned duties and responsibilities.
(b) Return of equipment.
(c) De-activation of email, identification card, and access card.
(d) Exit interview or survey.

105.11. Bylaws
105.11-1. All entities of the Nation shall have bylaws that conform to the requirements of this law. Bylaws shall become effective upon approval of the Oneida Business Committee, unless General Tribal Council approval is additionally required.
105.11-2. All existing entities shall comply with this format and present bylaws for adoption within a reasonable time after creation of the entity, or within a reasonable time after adoption or amendment of this law.
105.11-3. Bylaws shall contain at least the minimum information required by law, although more information is not prohibited.

105.11-4. *Exception*. Task Forces and Ad Hoc Committees are excepted from the requirement to have bylaws. However, these entities shall have, at minimum, mission or goal statements for completion of the task.

105.11-5. *Articles*. Bylaws shall contain, at a minimum, the following Articles:

(a) Article I. Authority.
(b) Article II. Officers.
(c) Article III. Meetings.
(d) Article IV. Expectations.
(e) Article V. Stipends and Compensation.
(f) Article VI. Records and Reporting.
(g) Article VII. Amendments.

105.11-6. *Sections*. Articles shall be divided into the following Sections.

(a) "Article I. Authority" shall consist of the following:

(1) *Name*. The full name of the entity shall be stated, along with any short name that will be officially used.

(2) *Establishment*. This section shall state the citation and name, if any, of the creation document.

(3) *Authority*. This section shall state the purpose for which the entity was created and what, if any, authority the entity is delegated.

(4) *Office*. There shall be listed the official office or post box of the entity.

(5) *Membership*. The following information shall be in this section:

(A) number of members on the entity;

(B) if members on the entity are appointed or elected, and how a member is appointed or elected;

(C) how vacancies are filled; and

(D) qualifications for membership on the entity.

(i) In order to qualify for membership on an entity, a person shall meet the minimum age requirements set forth for status as a qualified voter of the Nation, unless a law, policy, or directive sets forth a minimum age requirement.

(6) *Termination or Removal.* This section shall identify causes for termination or removal, if any, in addition to those already identified in laws or policies of the Nation.

(7) *Trainings and Conferences*. This section shall address travel for training and conference. Travel for training and conferences is allowable in accordance with the Nation's travel policies. All entities shall be in compliance with the Nation's travel policies.

(b) "Article II. Officers" shall consist of the following:

(1) *Chairperson and Vice-Chairperson*. This section creates the Chairperson and Vice-Chairperson positions of the entity. Other officer positions may also be created here.

(2) *Responsibilities of the Chairperson*. Because of the importance of this position, all duties and responsibilities of the Chairperson, as well as limitations of the Chairperson shall be specifically listed here.

(3) *Responsibilities of the Vice-Chairperson*. Because of the importance of this position, all duties and responsibilities of the Vice-Chairperson, as well as limitations of the Vice-Chairperson shall be specifically listed here.
(4) *Responsibilities of Additional Officers*. There may be additional sections as needed for every officer position created in subsection one (1) above. These sections shall state all duties and responsibilities of the officer, as well as any limitations of the officer.
(5) *Selection of Officers*. This section shall identify how a member of the entity shall be selected for an official officer position in the entity.
(6) *Purchases and Travel*. This section shall identify how the entity shall approve purchases or travel on behalf of the entity.
(A) An entity shall follow the Nation's policies and procedures regarding purchasing and sign-off authority.
(B) Upon formal approval of a purchase by an entity, the BCC Department shall have official budgetary sign off authority for the entity.
(C) An entity shall approve a member's request to travel on behalf of the entity by majority vote at a regular or emergency meeting of the entity.
(7) *Personnel*. This section shall state the entity's authority for hiring personnel, if any, and the duties of such personnel.

(c) "Article III. Meetings" shall consist of the following:
(1) *Regular meetings*. This section shall identify when and where regular meetings shall be held, and how the entity shall provide notice of the meeting agenda, documents, and minutes.
(2) *Emergency meetings*. This section shall identify what constitutes an emergency meeting, how emergency meetings shall be called, and how the entity shall provide notice of the emergency meeting.
(A) All bylaws shall include a provision requiring that within seventy-two (72) hours after an emergency meeting, the entity shall provide the Secretary with notice of the meeting, the reason for the emergency meeting, and an explanation of why the matter could not wait for a regular meeting.
(3) *Joint Meetings*. This section shall identify if joint meetings shall be held, the frequency and location of joint meetings, and how the entity shall provide notice of the meeting agenda, documents, and minutes.
(4) *Quorum*. This section shall identify how many members of an entity create a quorum.
(5) *Order of Business*. This section sets out how the agenda will be set up.
(6) *Voting*. This section shall identify voting requirements, such as, but not limited to:
(A) the percentages that shall be needed to pass different items;
(B) if, and when, the Chairperson is allowed to vote;
(C) if the use of an e-poll is permissible; and
(D) if the use of an e-poll is permissible, who will serve as the Chairperson's designee for the responsibility of conducting an e-poll, if a designee is utilized.

(d) "Article IV. Expectations" shall consist of the following information:

(1) *Behavior of Members*. This section shall identify the behavioral expectations and requirements of a member of the entity required by this law and any additional expectations and requirements specific to the entity and identify how the entity shall enforce these behavioral expectations.
(2*) Prohibition of Violence*. This section shall prohibit any violent, intentional act committed by a member of the entity that inflicts, attempts to inflict, or threatens to inflict emotional or bodily harm on another person, or damage to property, and set forth any further expectations regarding the prohibition of violence.
(3) *Drug and Alcohol Use*. This section shall prohibit the use of alcohol and prohibited drugs for a member of an entity when acting in their official capacity and set forth any further expectations regarding the use of prohibited drugs and alcohol.
(4) *Social Media*. This section shall identify expectations for the use of social media regarding official business of the entity.
(5) *Conflict of Interest*. This section shall state any standards and expectations additional to those required by this law regarding conflicts of interest and how they are handled, as well as requirements related to prohibited activities resulting from disclosed conflicts of interest and means by which a party can alleviate or mitigate the conflict of interest.
(6) *Conflict Resolution.* This section shall address how the entity will handle conflict resolution. At a minimum, the entity's procedures and requirements for conflict resolution shall conform to any policy of the Nation's Human Resources Department.
(7) *Leave of Absence*. This section shall address leave of absence, at a minimum, as it is allowed to employees of the Nation pursuant to policies of the Nation's Human Resources Department.

(e) "Article V. Stipends and Compensation" shall consist of the following information:
(1) *Stipends*. This section shall include a comprehensive list of all stipends members are eligible to receive and the requirements for collecting each stipend, if any, in addition to those contained in this law. This section shall also include the procedure to withhold a member's stipend if a member does not meet the identified requirements needed to collect each stipend.
(2) *Compensation*. This section shall include details regarding all other forms of compensation members are eligible to receive and the requirements for collecting such compensation, if any, in addition to those contained in this law.

(f) "Article VI. Records and Reporting" shall consist of the following information:
(1) *Agenda Items*. Agenda items shall be maintained in a consistent format as identified by this section.
(2) *Minutes*. Minutes shall be typed and in a consistent format designed to generate the most informative record of the meetings of the entity. This may include a summary of action taken by the entity. This section shall identify the format for minutes, and a reasonable timeframe by which minutes shall be submitted to the BCC Department.
(3) *Attachments*. Handouts, reports, memoranda, or other relevant documents may be attached to the minutes and agenda, or may be kept separately, provided that all

materials can be identified to the meeting in which they were presented. This section shall identify how records of attachments shall be kept.

(4) *Oneida Business Committee Liaison*. Entities shall regularly communicate with the Oneida Business Committee member who is their designated liaison. This section shall identify a format and frequency for communication which may be as the liaison and entity agree to, but not less than that required in any law or policy on reporting developed by the Oneida Business Committee or Oneida General Tribal Council. The liaison shall act as a support to that entity.

(5) *Audio Recordings*. An entity shall audio record all meetings. This section shall state how the entity shall audio record meetings and how the entity shall maintain the audio records.

(A) Exception. Audio recordings of executive session portions of a meeting shall not be required.

(g) "Article VII. Amendments" consists of:

(1) *Amendments to Bylaws*. This section shall describe how amendments to the bylaws are made. Any amendments to bylaws shall conform to the requirements of this law and any other policy of the Nation. Amendments to bylaws shall be approved by the Oneida Business Committee, in addition to the General Tribal Council when applicable, prior to implementation.

105.12. Electronic Polling

105.12-1. An entity may utilize an e-poll when approval of an action may be required before the next available meeting agenda of the entity.

105.12-2. *Conducting an E-Poll*. The Chairperson of the entity, or designee, shall e-mail the e-poll to all members of the entity. Requests for an e-poll shall be sent only from the official e-mail address of the entity. The e-poll's message shall include the following information:

(a) a summary of the reason for the request and why the request cannot be presented at the next available meeting of the entity; and

(b) a deadline date for a response.

(1) E-poll requests shall be open for response not less than one (1) hour and no more than twenty-four (24) hours.

(2) The Chairperson of the entity, or designee, is responsible for creating a time frame for responses based on urgency, scheduling, and any other pertinent factors.

105.12-3. *Response to an E-Poll.* Only the member of an entity shall respond to an e-poll. A response from a member of an entity shall be valid if received from an official e-mail address of the entity. No responses from unknown e-mails or personal e-mails shall be accepted. An e-poll request shall receive responses from a majority of members of the entity in order to be an official vote.

(a) E-polls that receive at least a majority of supporting votes by the deadline are considered to be approved.

(b) E-polls for which insufficient responses were received by the deadline are considered to have failed to receive support, and result in a denied request.

(c) E-polls that result in a denied request may be reconsidered by the entity at the next available meeting.

(d) The Chairperson, or designee, shall monitor all responses and deadline dates for responses.

105.12-4. *Entering an E-Poll in the Record*. Both approved and denied e-poll requests shall be placed on the next meeting agenda of the entity to be entered into the record. The agenda item shall contain the following information:

(a) Original e-poll request and all supporting documentation;

(b) A summary of the e-poll results identifying each member of the entity and their response; and

(c) A copy of any comment by a member of the entity if comments are made beyond a vote.

105.13. Reporting Requirements

105.13-1. *Minutes*. All minutes shall be submitted to the BCC Department within a reasonable time after approval by the entity, as identified in the entity's bylaws.

(a) Actions taken by an entity are valid upon approval of the action by vote, unless the bylaws of the entity otherwise require minutes to be approved by the entity before the actions are valid.

(b) Minutes shall be filed according to this section, and any specific directions within approved bylaws.

(c) No action or approval of minutes is required by the Oneida Business Committee on minutes submitted by an entity unless specifically required by the bylaws of that entity.

105.13-2. *Standard Operating Procedures*. All standard operating procedures established by an entity shall be submitted to the BCC Department where they shall be kept on file.

105.13-3. *Reports to the Oneida Business Committee*. Every fiscal year entities shall provide at least two reports to the Oneida Business Committee in accordance with the reporting schedule approved by the Oneida Business Committee. The reports shall be approved by official entity action before they are submitted. The reports shall not contain any information that conflicts with any law, resolution, or policy of the Nation. At least one (1) member of the entity shall attend the Oneida Business Committee meeting where the report is an agenda item. Reports shall follow a format prescribed by the Oneida Business Committee and contain the following information:

(a) *Contact Information*. The name of the entity, the member submitting the report, the Oneida Business Committee liaison; and a list of the members and their titles, term expiration dates, and contact information.

(b) *Meetings*. When and how often the entity is holding meetings and whether any emergency meetings have been held.

(1) If emergency meetings were held, the report shall indicate the basis of the emergency for each meeting.

(c) *Accomplishments*. Details of what the entity has accomplished since the last report, including any special events held during the reporting period and any travel by the members or staff.

(d) *Goals*. Details of both the entity's long-term goals, the entity's goals for the next reporting period, and projected activities during the next reporting period.

(e) *Budget*. The amount of the entity's budget, the status of the budget, the amount of each stipend a member may be eligible to receive, how the budget is being utilized by the entity, and projected budgetary uses for the next reporting period.

(f) *Requests*. Details of any requests to the Oneida Business Committee.

(g) *Other*. And any other information deemed appropriate by the entity, as well as any other information required by a law or policy of the Nation.

105.13-4. *Annual and Semi-Annual Reports to the General Tribal Council*. Entities shall provide annual reports to the Oneida General Tribal Council based on their activities during the previous fiscal year and semi-annual reports based on their activities during the current fiscal year. All annual and semi-annual reports shall follow a format prescribed by the Oneida Business Committee.

(a) Annual and semi-annual reports shall contain information on the number of substantiated complaints against all members of the entity.

(b) Each entity with oversight of a department shall also submit annual and semi-annual reports for each department the entity oversees.

105.13-5. Any failure to comply with the reporting requirements may result in the Oneida Business Committee placing a hold on the release of a stipend payment.

105.14. Stipends, Reimbursement and Compensation

105.14-1. Stipends and reimbursement for expenses shall follow the procedures as set out in this section and according to procedures for payment as set out by the Nation, unless otherwise declined by the entity through its bylaws, or declined by a member.

105.14-2. The Oneida Business Committee shall set stipend amounts by resolution. The Oneida Business Committee shall periodically review the amounts provided for stipends and, based on the availability of funds, shall adjust those amounts accordingly by amending the resolution. Stipends are paid in the form of cash or cash equivalent.

105.14-3. *Meeting Stipends*. A member of an entity shall only receive a meeting stipend for a regular or emergency meeting where a quorum has been established in accordance with the duly adopted bylaws of that entity, that lasts for at least one (1) hour, and the member collecting the stipend is present for the entire meeting. Meetings can occur in person, by telephone, through videoconferencing, or through other telecommunications.

(a) *Meeting Stipends for an Appointed Entity*. An individual serving on an appointed entity shall be paid no more than twelve (12) meeting stipends per fiscal year.

(b) *Meeting Stipends for an Elected Entity*. An individual serving on an elected entity shall be paid no more than twenty-four (24) meeting stipends per fiscal year.

(c) *Demonstrating Presence During a Meeting*. An entity shall demonstrate the presence of its members during a meeting by taking roll call on the record at both the beginning and conclusion of a meeting.

(d) *Technological Issues Affecting Presence During a Meeting*. If a member of an entity experiences a technological issue during a regular or emergency meeting held by telephone, through videoconferencing, or through other telecommunications, and the technological issue disrupts the member's presence during the meeting, the member shall notify the entity of the technological issue as soon as possible.

(1) An exemption to the stipend eligibility requirement to be present for the entire meeting may be granted if the entity certifies by a majority vote that the member was present for a majority of the meeting despite the technological issue which disrupted the member's presence during the meeting.

105.14-4. *Joint Meeting Stipends*. A member of an entity shall only receive a stipend for a joint meeting where a quorum has been established in accordance with the duly adopted bylaws of that entity, that lasts for at least one (1) hour, and the member collecting the stipend is present for the entire meeting. Joint meetings can occur in person, by telephone, through videoconferencing, or through other telecommunications.

(a) An individual shall receive a stipend for their attendance at a duly called joint meeting.

(1) A joint meeting stipend does not count towards the limitation on meeting stipends as provided for in section 105.13-3(a)-(b).

(b) *Demonstrating Presence During a Joint Meeting*. An entity shall demonstrate the presence of its members during a joint meeting by taking roll call on the record at both the beginning and conclusion of a joint meeting.

(c) *Technological Issues Affecting Presence During a Joint Meeting*. If a member of an entity experiences a technological issue during a joint meeting held by telephone, through videoconferencing, or through other telecommunications, and the technological issue disrupts the member's presence during the joint meeting, the member shall notify the entity of the technological issue as soon as possible.

(1) An exemption to the stipend eligibility requirement to be present for the entire joint meeting may be granted if the entity certifies by a majority vote that the member was present for a majority of the joint meeting despite the technological issue which disrupted the member's presence during the joint meeting.

105.14-5. *Oneida Judiciary Hearings*. A member of an entity shall receive a Judiciary hearing stipend if the member's attendance at the Judiciary hearing is required by official subpoena.

105.14-6. *Hearings of an Entity*. A member of an entity that maintains hearing authority may obtain one hearing stipend for conducting a hearing administered by the entity. A hearing consists of all functions related to the resolution of the matter, including, but not limited to, decision drafting. A member may receive additional stipends for any continuation if a continuation is necessary to resolve the matter.

105.14-7. *Other Stipends*. The Oneida Business Committee shall determine if, and when, any other stipends are appropriate to compensate members of entities for their official actions. All possible stipends shall be included in the Oneida Business Committee resolution which sets stipend amounts.

105.14-8. *Virtual Meetings*. The entity may hold a virtual meeting pursuant to any requirements established by the Oneida Business Committee and pursuant to any additional requirements established by the entity. At a minimum those requirements for members shall be:

(a) The Chairperson shall open the meeting with an explanation for the record as to why the meeting is being held virtually.

(b) The Chairperson shall take roll call at both the beginning and end of the virtual meeting.

(c) All members shall keep their video camera on during the entire meeting.

(d) The Chairperson shall poll each individual member to vocalize their support, opposition, or abstention to any motion.

105.14-9. *Conferences, Training, and Travel*. An appointed or elected member of any entity shall be reimbursed in accordance with the Nation's policy for travel and per diem, for attending a conference or training provided that:

(a) All entities shall be in compliance with the Nation's travel policies.

(b) A member shall be eligible for a stipend for attending a conference or training, when attendance at the conference or training is required by law, bylaw, or resolution.

(1) The amount of the stipend a member is eligible to receive for attendance at a conference or training shall be dependent on whether the member attended up to

four (4) hours of a conference or training, or more than four (4) hours of a conference or training.

(c) A member shall not be eligible for a conference and training stipend if that training is not required by law, bylaw, or resolution.

(d) No stipend payments shall be made for those days spent traveling to and from the conference or training.

(e) The board, committee, or commission approves reimbursement for the member.

105.14-10. *Business Expenses*. All members of entities shall be eligible for reimbursement for normal business expenses naturally related to membership in the entity.

(a) Before a member is eligible for reimbursement of normal business expenses, the board, committee, or commission must approve such expenses.

105.14-11. *Task Force and Ad Hoc Subcommittees*. Members of task force, ad hoc committees and subcommittees shall not be eligible for stipends unless specific exception is made by the Oneida Business Committee or the Oneida General Tribal Council.

105.15. Official Oneida Nation E-mail Address

105.15-1. Each member of an entity shall be provided with an official Oneida e-mail address upon election or appointment for the purpose of conducting business of the entity electronically.

(a) If a member is also an employee of the Nation, they shall receive a separate email address from their regular work e-mail address.

(b) A member of an entity shall have thirty (30) days after appointment or election to activate their official e-mail address.

(c) An individual who holds a position as an ad hoc or alternate member of an entity shall be exempt from the requirement to be provided with an official e-mail address, unless determined that an e-mail address is necessary for the role and responsibilities of the ad hoc or alternate member.

(d) A member of an entity shall sign an acknowledgment form provided by the Secretary indicating notice of the Nation's applicable computer and media related laws, policies, and rules. The Secretary shall maintain a record of all such acknowledgment forms.

(e) A member of an entity shall exclusively use their official e-mail address to electronically conduct any business of the entity.

(f) Immediately upon receipt of notice of a vacancy, the Secretary shall instruct the Digital Technology Services department to disable the e-mail address for the member having vacated the position.

105.16. Standards of Conduct

105.16-1. *Good Mind.* All members shall serve with a Good Mind guided by wisdom, compassion, and responsibility and shall avoid actions or situations that give rise to the appearance of impropriety, undue influence, or favoritism.

105.16-2. *Cultural Accountability*. Members are reminded that their conduct reflects not only on themselves but on the Nation as a whole. They are expected to uphold the teachings of the Good Mind, protect the well-being of the community, and serve with humility, honor, and respect.

105.16-3. *Prohibited Conduct*. Members are expected to walk with the Good Mind, honoring the trust of the people and the teachings of the Great Law of Peace. The following conduct is prohibited as it undermines the integrity of governance, the dignity of the Nation, and the responsibilities entrusted to those who serve. No member shall:

(a) Use their position for personal gain, financial benefit, or advancement of family, friends, or associates.
(b) Engage in any form of bribery, coercion, or undue influence in the performance of their duties.
(c) Misuse or misappropriate Nation resources, including funds, property, or confidential information.
(d) Discriminate against or harass any individual based on race, gender, age, religion, tribal affiliation, or any other protected status.
(e) Retaliate against any person who reports unethical behavior, misconduct, or violations of this law.
(f) Falsify records, reports, or communications related to their official duties.
(g) Accept gifts, gratuities, or honoraria in violation of Section 105.15-10.
(h) Participate in decisions where a conflict of interest exists, as defined in Section 105.15-8.
(i) Engage in nepotism or favoritism in hiring, supervision, or contracting, as prohibited in Section 105.15-9.
(j) Act in a manner that brings dishonor to the Oneida people or undermines the public's trust in the Nation's government.

105.16-4. *Attendance and Meeting Conduct*. Members shall honor their responsibility to participate fully and professionally in the governance of the Nation. Attendance and conduct during meetings reflect the integrity of leadership and the trust placed in members by the Oneida people. Accordingly:

(a) *Commitment to Presence and Preparedness*. Members shall attend all scheduled meetings unless excused or prevented by circumstances beyond their control. Absences should be communicated promptly and with respect for the entity's ability to conduct business. Members are expected to arrive prepared, having reviewed all materials necessary for informed decision making.

(b) *Engagement and Respectful Dialogue*. Meetings shall be conducted in a manner that upholds the Good Mind and fosters constructive dialogue. Members shall:

(1) Actively and thoughtfully participate.
(2) Contribute to deliberations with clarity and respect.
(3) Listen attentively to others, avoid interruptions, and ensure that all voices are heard.
(4) Refrain from conduct that disrupts proceedings or diminishes the dignity of the office.

(c) *Professionalism and Integrity in Deliberation*. Decisions shall be made based on merits, facts, and the collective good of the Nation. Members shall:

(1) Avoid side conversations, electronic distractions, or any behavior that signals disengagement.
(2) Maintain confidentiality of closed-session discussions and sensitive information.
(3) Conduct themselves in a manner that reflects honor, impartiality, and accountability.

(d) *Responsibility for Governance Continuity*. Attendance and participation are essential to the functioning of the Nation's government. Persistent failure to meet these expectations may constitute a breach of trust and be subject to review under enforcement provisions.

105.16-5. *Fair Dealing and Impartiality*. Members shall carry out their duties with fairness, honesty, and impartiality, honoring the trust placed in them by the Oneida people. Members shall:

(a) Refrain from granting special treatment beyond what is available to others under the law.

(b) Make decisions based solely on merit, facts, and the well-being of the Nation, free from bias, favoritism, or personal interest.

(c) Avoid conduct that creates the appearance of impropriety or undermines community trust.

(d) Treat all individuals with respect and dignity, and foster an environment of equity, justice, and inclusion in governmental dealings.

105.16-6. *Accountability and Transparency*. Public service is a sacred responsibility. Members are entrusted by the Oneida people to act with integrity, humility, and accountability. Their actions shall reflect the values of the Nation and honor the trust placed in them by the community.

(a) *Duty to be Accountable*: Members shall be answerable to the Oneida people for their decisions, conduct, and use of authority; explain their actions, accept responsibility for mistakes, and take corrective steps when necessary. Accountability is not only a legal obligation, but also a cultural duty rooted in respect for the people and the teachings of the Good Mind.

(b) *Transparency in Governance.* Transparency is essential to maintaining the good mind and the confidence of the people. Members shall:

(1) conduct public business in a manner that is open, honest, and accessible to the community;

(2) provide timely and accurate information about decisions, policies, and the use of Nation resources; and

(3) ensure that records, reports, and proceedings are maintained and made available in accordance with the laws and customs of the Nation.

(c) *Community Engagement*. Members shall actively seek the voices of the people, respecting the wisdom of elders, the concerns of families, and the guidance of traditional knowledge. Decisions shall reflect the collective good and be made with the understanding that leadership is a service to the Nation, not a privilege.

105.16-7. *Confidentiality*. All members of an entity shall maintain in a confidential manner all information obtained through their position on the entity. The Nation requires that all members of an entity who have access to the Nation's confidential information be subject to specific limitations in order to protect the interest of the Nation and ensure that no individuals engaged by the Nation, nor their relatives or associates, benefit from the use of confidential information.

(a) Confidential information shall be considered and kept as the private and privileged records of the Nation and will not be divulged to any person, firm, corporation, or other entity except by direct written authorization of the Oneida Business Committee.

(b) A member of an entity will continue to treat as private and privileged any confidential information, and will not release any such information to any person, firm, corporation, or other entity, either by statement, deposition, or as a witness, except upon direct written authority of Oneida Business Committee, and the Nation shall be entitled to an injunction by any competent court to enjoin and restrain the unauthorized disclosure of such information. Such restriction continues after termination of the relationship with the Nation and the entity.

(c) Upon completion or termination of their appointed or elected term of membership in an entity, for any cause, the member of the entity will surrender to the Nation, in good condition, all records kept by the member of the entity.
(d) No member of an entity shall disclose confidential information acquired by reason of their other relationship or status with the Nation for their personal advantage, gain, or profit, or for the advantage, gain, or profit of a relative or associate
(e) If a member does intentionally disclose confidential information, that member will be subject to fines or penalties set forth in a fine and penalty schedule adopted by the Oneida Business Committee.
(f) Any records created or obtained while serving as a member of an entity are the property of the Nation and shall only be removed or destroyed by approval from a majority vote of the entity at a duly called meeting. All removal or destruction of documents shall be made in accordance with the Nation's laws and policies governing open records and open meetings.

105.16-8. *Conflicts of Interest.* Members of an entity shall disclose a conflict of interest in writing to the Secretary as soon as the conflict arises and update a conflict of interest disclosure form with the Secretary on an annual basis.

(a) *Disclosure Forms*.

(1) The Oneida Law Office shall create both annual and as-needed disclosure forms.
(2) The Office of the Oneida Nation Secretary shall distribute, collect, and maintain these disclosure forms.
(3) All members shall submit disclosure forms annually and within a reasonable time after a conflict arises or becomes known.

(b) Upon receiving information of a potential conflict of interest, the Secretary shall request a determination from the Oneida Law Office whether further action shall be taken by the Nation regarding the status of the official.(1) All entities may develop an internal conflict of interest mitigation plan for eligible conflicts in consultation with the Oneida Law Office, the Nation's Human Resources Department, and other departments of the Nation as needed.
(c) *Ineligibility Due to Conflicts of Interest*. Due to the potential for an actual or implied conflict of interest, the following individuals may not be eligible to serve on an appointed or elected entity unless they obtain approval from their immediate supervisor; the individual may also be required to complete a conflict mitigation plan:

(1) political appointees;
(2) an employee of the Nation's Internal Audit Department, Finance Administration, Oneida Law Office, BCC Department, Government Administrative Office, or Intergovernmental Affairs; and
(3) an employee who serves as a direct report to the Oneida Business Committee or the Chief Executive Officer of Nation Services.

(d) *Ongoing Duty to Disclose*. Members who become aware of a conflict of interest shall promptly disclose and comply with the requirements of the conflict of interest mitigation plan.

105.16-9. *Nepotism Prohibited.* The Oneida people expect their leaders to act with integrity and impartiality. Avoiding nepotism is essential to maintaining the trust between the government and

the community, and to ensuring that all Oneida people have equal opportunity to serve and contribute to the Nation.

(a) *Commitment to Fairness*. Members shall be guided by fairness, respect, and the Good Mind. Favoring family members in employment, appointments, or decision-making undermines the trust of the people and disrupts the balance that is essential to good governance.

(b) *Preferential Treatment Prohibited.* No member shall use their position to secure employment, advancement, contracts, or other benefits for immediate family members or close relatives. All decisions shall be made based on merit, qualifications, and the best interests of the Nation.

(c) *Employment and Oversight Restrictions*. No member shall supervise, evaluate, or participate in employment decisions involving a family member. The Nation shall implement procedures to ensure that hiring and promotion processes are free from undue influence and favoritism.

105.16-10. *Gifts and Honorarium*.

(a) *Prohibition on Gifts for Business Privilege.* No member shall accept any gift, gratuity, or honorarium of any value in exchange for, or as a condition of, doing business with the Nation.

(b) *Reporting Requirements*. Members shall report any gift, honorarium, or sponsored event with a fair market value of $1000 or more that is given in connection with activities organized by or participated in on behalf of the Nation.

(1) Sponsored events not paid for or reimbursed by the Nation or another government entity for official duties, including fundraisers, social events, recreational events, or entertainment events and any associated travel costs must be recorded as a gift.

(2) Travel provided or reimbursed by a federal, state, or tribal government entity for the purpose of carrying out official government functions, such as tribal consultations, meetings, or trainings, is considered official business and is not reportable under this section.

(c) *Gift Disclosure Form and Public Record*. Gifts or gratuities meeting the criteria in 105.15-10(a) shall be documented using the Gift Disclosure Form and submitted to the Office of the Nation's Secretary within ten (10) business days of receipt.

(1) The Office of the Secretary shall maintain a public record of all reported gifts and honoraria; and

(2) The Oneida Law Office shall maintain and update the Gift Disclosure Form and related procedures.

(d) *Gifts below the Reporting Threshold*. Gifts or honoraria valued at $999.00 or less are not required to be reported on the Gift Disclosure Form.

(e) *Cultural and Ceremonial Gifts*. Gifts given in the context of traditional, ceremonial, or cultural exchange may be exempt from reporting requirements, provided they are not of significant monetary value and do not create a conflict of interest. Members are encouraged to consult with the Oneida Law Office when in doubt.

105.17. Use of the Nation's Assets

105.17-1. Entities shall maintain all bank accounts for the Nation's funds in the name of the Nation. Bank accounts will be reflected on the Nation's books in accordance with Generally Accepted Accounting Principles.
105.17-2. Each member of an entity shall comply with the system of internal accounting controls sufficient to provide assurances that:

(a) all transactions are executed in accordance with management's authorization; and
(b) access to assets is permitted only in accordance with management's authorization; and
(c) all transactions are recorded to permit preparation of financial statements in conformity with Generally Accepted Accounting Principles or other applicable criteria.

105.17-3. Any evidence of noncompliance with any policy regarding the use of the Nation's assets shall be immediately reported to the Internal Audit department. If the Internal Audit department finds evidence of noncompliance, they shall notify the Oneida Law Office, who will then provide a recommendation to the Government Administrative Office on how to proceed. .

105.18. Dissolution of an Entity
105.18-1. *Dissolution of a Task Force or Ad Hoc Committee*. A task force or ad hoc committee dissolves upon a set date or acceptance of a final report. Unless otherwise indicated, the materials generated by a task force or ad hoc committee shall be forwarded to the BCC Department for proper disposal within four (4) weeks of the dissolution.
105.18-2. *Dissolution of an Entity.* All other entities of the Nation shall be dissolved only by motion of the Oneida General Tribal Council or the Oneida Business Committee.
105.18-3. *Notice of Dissolution*. Within five (5) business days of the Oneida General Tribal Council or the Oneida Business Committee taking official action to dissolve an entity, the Oneida Business Committee shall provide the entity written notice of the dissolution.
105.18-4. *Management of Records and Materials*. All Chairpersons and Secretaries of dissolved entities shall be responsible for finalizing open business of the entity and forwarding all materials and records to the BCC Department for proper storage and disposal within four (4) weeks of dissolution. The entity shall not alter or destroy any records. The BCC Department may utilize the assistance of the Records Management Department or any other appropriate department for the storage and disposal of the records and materials.

(a) The entity may request the Oneida Business Committee to grant an extension of the time allowed to close out open business of the entity and forward all materials and records to the BCC Department.

105.19. Enforcement
105.19-1. Any appointed member of an entity found to be in violation of this law or the entity's bylaws may be subject to:

(a) termination of appointment by the Oneida Business Committee;
(b) loss of stipend; or
    (1) When an appointed member's stipend is withheld, the Secretary shall submit written notices to the member, the entity's Chairperson or Vice-Chairperson, as applicable, and the BCC Department.
(c) Any other penalty identified by the entity in the entity's bylaws.

105.19-2. Any elected member of an entity found to be in violation of this law or the entity's bylaws may be subject to:

(a) loss of stipend or any other sanction and penalty in accordance with any laws or policies of the Nation governing sanctions and penalties;
(b) removal pursuant to any laws or policies of the Nation governing removal; or
(c) any other penalty identified by the entity in the entity's bylaws.

105.19-3. All entities shall identify in their bylaws the procedures for withholding a member's stipend and any other sanctions or penalties identified by that entity as long as those sanctions or penalties meet the requirements of this law and all other laws, policies, and rules of the Nation.

105.19-4. *Appeal*. If applicable, a member shall have the right to appeal an enforcement action pursuant to the requirements and procedures regarding appeals of the law under which the member received a sanction or penalty.

End.

Adopted - BC-08-02-95-A
Amended - BC-05-14-97-F
Emergency Amended - BC-04-12-06-JJ Amended - BC-09-27-06-E (permanent adoption of emergency amendments)
Amended – BC-09-22-10-C
Amended – BC-09-26-18-C
Emergency Amended – BC-03-11-20-B
Emergency Amended – BC-03-17-20-C
Amended – BC-08-12-20-B

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, Legislative Operating Committee Chairman
DATE: March 18, 2026
RE: Certification of Amendments to the Leasing Law Rule No. 2 – Agricultural Leasing

Background

Amendments to the Leasing Law Rule No. 2 – Agricultural Leasing ("Rule")1 were jointly developed by Land Management and the Oneida Land Commission and are being brought forward to essentially redraft the entire contents of the Rule. The purpose of the amended rule is now to expand upon the information provided in the Leasing law regarding the specific requirements for leasing land for agricultural purposes in a way that improves future soil health, enhances environmental policy to protect the air, soil, and water, and encourages the best regenerative agricultural practices available. *[Rule 2.1-1]*. It is the policy of the Rule to provide Tribal members and Tribal Programs/Departments with preferential access to Tribal land for agricultural uses and make surplus agricultural lands available for agricultural leasing by non-Tribal members, using consistent and fair processes that ensure long-term health and productivity from high standards of stewardship. *[Rule 2.1-2]*.

The amendments to the Rule provide for the following:

- Approving and Advertising the Agricultural Leasing Catalog *[Rule 2.4]*;
  - Assessing Available Lands;
  - Right of First Refusal to Internal Entities;
  - Long-Term Management Plans;
  - Advertising;
- Application and Selection *[Rule 2.5]*;
  - Application;
  - Selection;
- Tribal Member Requests for Land Not Published *[Rule 2.6]*;
  - Request for Parcels not Published in the Catalog;
  - Recommendation by Leasing Specialist;
- Agricultural Lease Documents and Rates *[Rule 2.7]*;
  - Lease Documents;
  - Agricultural Lease Rates;
- Seven Generations Rebate Program *[Rule 2.8]*;
  - Purpose of the Seven Generations Rebate Program;
  - Incorporating the Rebate Program into the Lease;
  - Eligibility;

1 The certification materials provided by Land Management and the Oneida Land Commission include multiple references that "*This rule is newly drafted; this rule is not an amendment to an existing rule*." This is not an entirely accurate statement. Leasing Law Rule No. 2 – Agriculture Leases currently exists and is in effect. The new Leasing Law Rule No. 2 – Agricultural Leases, which was submitted for certification, does amend the current Leasing Law Rule No. 2 – it just amends it to such an extent that it is essentially rewritten in its entirety.

A good mind. A good heart. A strong fire.

- Conservation Plans and Other Required Submittals *[Rule 2.9]*; and
- Agricultural Lease Transfer or Assignment *[Rule 2.10]*.

The Rule was developed in accordance with the Leasing law, which was adopted for purposes of setting forth the Nation's authority to issue, review, approve, and enforce leases. *[6 O.C. 602.1-1]*. The Leasing law delegates administrative rulemaking authority to Land Management and the Oneida Land Commission as authorized by the Administrative Rulemaking law. The Law requires parties interested in obtaining an agricultural lease document to submit an application to Land Management pursuant to the rules which Land Management and the Oneida Land Commission shall jointly develop. *[6 O.C. 602.5-1]*. Land Management is delegated the responsibility to develop, while the Oneida Land Commission is delegated the responsibility to approve, the format and requirements set out in the lease document applications for different types of leases, as well as additional procedures and processes to be followed when offering and awarding lease documents. *[6 O.C. 602.5-1(a)]*. The Law provides that agricultural leases are valued based on the bidding process required as part of the lease award process included in the rules, which Land Management and the Oneida Land Commission shall jointly develop. *[6 O.C. 602.7-5].* The Law also allows for Land Management and the Oneida Land Commission to jointly develop rules requiring administrative fees for costs associated with issuing a lease document or conducting any other administrative transaction. *[6 O.C. 602.10-5]*.

Certification of Leasing Law Rule No. 2 – Agricultural Leases

The Legislative Operating Committee reviewed the certification packet provided for the amendments to the Rule. The Legislative Operating Committee is responsible for certifying a proposed rule after determining the authorized agency has complied with the requirements for certification stated in section 106.7-2 of the Administrative Rulemaking law, and forwarding the rule to the Oneida Business Committee for consideration of adoption. *[1 O.C. 106.7-3]*.

Certification by the Legislative Operating Committee means:

- The certification packet provided by the Comprehensive Housing Division and Oneida Land Commission for the Rule contained all documentation required by the Administrative Rulemaking law for a complete administrative record;
- The promulgation of the amendments to the Rule complied with the procedural requirements contained in the Administrative Rulemaking law; and
- The amendments to the Rule did not exceed the rulemaking authority granted under the law for which the Rule is being promulgated. *[1 O.C. 106.7-2]*.

The Legislative Operating Committee certified the Rule on March 18, 2026. The amendments to the Rule would become effective immediately upon adoption by the Oneida Business Committee in accordance with section 106.9-1 of the Administrative Rulemaking law.

Requested Action
Consider the adoption of amendments to the Leasing law Rule No. 2 – Agricultural Leasing.

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

AGENDA REQUEST FORM

1) Request Date: March 4, 2026
2) Contact Person(s): Sheila Huntington
   Dept: Land Management
   Phone Number: (920) 869-6610 Email: shunting@oneidanation.org
3) Agenda Title: Leasing Law- Agricultural Rule #2-Agricultural Leasing
4) Detailed description of the item and the reason/justification it is being brought before the LOC:
   Land Management updated the Agricultural Rule #2 and followed the process and requesting approval.

   List any supporting materials included and submitted with the Agenda Request Form
   1) Agicultural Rule #2-Agricultural Leasing
   2) with supporting documentation.
   3) _____
   4) _____

5) Please list any laws, policies or resolutions that might be affected:
   This is part of the Leasing Law.
6) Please list all other departments or person(s) you have brought your concern to:
   none
7) Do you consider this request urgent? ☒ Yes ☐ No
   If yes, please indicate why:
   We posted 9 properties with 734/acres up for bid for FY 2026.

I, the undersigned, have reviewed the attached materials, and understand that they are subject to action by the Legislative Operating Committee.

Signature of Requester:

_____

Please send this form and all supporting materials to:

LOC@oneidanation.org
or
Legislative Operating Committee (LOC)
P.O. Box 365
Oneida, WI 54155
Phone 920-869-4376

MEMORANDUM

TO: Legislative Operating Committee
FROM: Sheila Huntington, Leasing Specialist Sheila Huntington Digitally signed by Sheila Huntington Date: 2026.03.03 15:35:39 -06'00'
DATE: February 27, 2026
SUBJECT: Request for Certification of Leasing Law Rule No. 2 – Agricultural Rule

The Land Management Area of the Environmental, Land & Agricultural Division and the Land Commission, as defined in the Leasing Law, is exercising its rulemaking authority to further define sections of Title 6, Chapter 602, Leasing Law.

This rule is newly drafted; this rule is a complete rewrite of the prior Agricultural Leasing Rule.

In accordance with the Administrative Rulemaking law, a public meeting was held for this rule on September 10, 2025, for which the comment period expired on September 17, 2025.

The following attachments are included for your review:

1. Rule No. 2 – Agricultural Rule – Clean Version
2. ELA Division Director Approval of Rule No. 2 – Agricultural Rule;
3. Oneida Land Commission Rule Approval;
4. Public Meeting Packet;
5. Copy of Public Meeting Notice Published in the Kalihwisaks – Page 23 of the September 2025 issue;
6. Public Meeting transcription from September 10, 2025, Public Meeting.

Following certification, this rule shall become effective immediately.

Title 6. Property and Land – Chapter 602

LEASING LAW

Rule # 2 – Agricultural Leasing

2.1 Purpose and Authority
2.2 Adoption, Amendment and Repeal
2.3 Definitions
2.4 Approving and Advertising the Agricultural Leasing Catalog
2.5 Application and Selection
2.6 Tribal Member Requests for Land Not Published
2.7 Agricultural Lease Documents and Rates
2.8 Seven Generations Rebate Program
2.9 Conservation Plans and Other Required Submittals
2.10 Agricultural Lease Transfer or Assignment
2.11 Agricultural Leasing Actions

2.1. Purpose and Policy

2.1-1. Purpose. The purpose of the Agricultural Leasing Rule is to expand upon the information provided in the Leasing Law regarding the specific requirements for leasing land for agricultural purposes in a way that improves future soil health, enhances environmental policy to protect the air, soil, and water, and encourages the best regenerative agricultural practices available. The Land Office has a stated purpose to be Caretakers of the Land and that responsibility includes setting protective measures for future generations.

2.1-2. Policy. The policy behind the Agricultural Leasing program is to provide Tribal members and Tribal Programs/Departments, with preferential access to Tribal land for agricultural uses and make surplus agricultural lands available for agricultural leasing by non-Tribal members, using consistent and fair processes that ensure long-term health and productivity from high standards of stewardship.

2.2. Adoption and Authority

2.2-1. This rule was jointly adopted by Land Management and the Oneida Land Commission in accordance with the Administrative Rulemaking law.

2.2-2. This rule may be amended or repealed by the Land Commission pursuant to the procedures set out in the Administrative Rulemaking law.

2.2-3. Should a provision of this rule or the application of this rule to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this rule which are considered to have legal force without the invalid portions.

2.2-4. In the event of a conflict between a provision of this rule and a provision of another rule, internal policy, procedure, or other regulation; the provisions of this rule controls.

2.2-5. This rule supersedes all prior rules, regulations, internal policies or other requirements relating to the Leasing Law. The Oneida Nation does not recognize the authority of the Outagamie County Drainage Board, provided that the Nation may work with various external entities, including the Outagamie County Drainage Board, to improve environmental and agricultural conditions as needed.

2.3. Definitions

2.3-1. This section governs the definitions of words and phrases used within this rule. All words not defined herein are to be used in their ordinary and everyday sense.

(a) *Manure* means an organic matter derived from solid animal wastes, used to improve the soil quality and increase the yield of healthy crops. It includes bed pack manure, raw,

or liquid manure. For the purposes of this rule, bed pack manure shall be treated the same as raw manure.

(b) *Prohibited Use Chemicals* means chemical products that are prohibited for use on Oneida Nation lands.

(c) *Restricted Use Chemicals* means products that may be used or applied only by a certified applicator and may include a list of specific products that are not allowed in excess of set limits.

(d) *Subleasing* means an arrangement between the lessee and another party that allows the other party to farm or use the land for a fee or a waiver of a fee. This also includes an arrangement that trades services in exchange for use of the land.

(e) *Waterway* means a natural or artificial channel within or adjacent to agricultural land which acts to drain water from the land which includes, but is not limited to, grassed waterways, streams, wetlands, lakes, and ditches including road ditches.

2.4. Approving and Advertising the Agricultural Leasing Catalog

2.4-1. *Assessing Available Lands*. At least once annually, Land Management shall prepare a list of lands available for agricultural leasing and shall present to the Land Commission for approval to add to the agricultural leasing catalog for advertising. In addition, Land Management may assess land as it becomes available, either through acquisition or lease expirations, and present to the Land Commission for approval to add to the agricultural leasing catalog for advertising.

2.4-2. *Right of First Refusal to Internal Entities*. Before land in the agricultural catalog is placed for publishing and advertising for the general public, the Oneida Nation Farms will be given first right of refusal.

(a) If none of the Nation's named agricultural departments exercise their right of first refusal within thirty (30) calendar days, the land shall be noticed as available for internal assignment to all Oneida Nation internal entities for a minimum period of thirty (30) calendar days, provided that Land Management shall provide specific notice to internal entities that have agricultural, forestry, or natural resources interests as evidenced by existing internal entity building and/or land assignments.

(b) In the event multiple internal parties seek internal assignments for the same parcel, the General Manager shall determine which internal entity shall receive the parcel pursuant to an internal building and land assignment.

2.4-3. *Long-Term Management Plans.* Land Management shall develop long-term management plans for each parcel that shall be incorporated into agricultural lease documents and internal building and land assignments. The long-term management plans for each parcel will address the natural characteristics of the land, outline pertinent ecological principles, and set out environmentally responsible farming practices, that the lessee must implement throughout the property to be incorporated into the applicable lease documents.

2.4-4. *Advertising*. Except as provided in section 2.4-2., Land Management shall not enter any agricultural leases without having first advertised the subject parcels as provided in this section.

(a) *When and Where to Advertise*. Following approval of the agricultural leasing catalog and after the time period expires for all internal parties to request use of the land, Land Management shall publish notice of agricultural leasing lands available as follows:

(1) *In Print*. Land Management shall advertise the annual agricultural catalog available for leasing in the May edition of the Kalihwisaks. Print notice is required only once annually, and land may be added to catalog and advertised online as they become available given that the Kalihwisaks has limited publishing

dates that could delay agricultural leasing; and

(2) *Online.* Land Management shall advertise all land available for agricultural leasing on the social media accounts of the Nation and Land Management and the Land Management website to the extent such accounts exist, for a minimum of 30 days prior to accepting bids.

(b) *Notice Contents.* Each notice shall include, at a minimum, the following information:

(1) The address/location of each leased site;

(2) How many grazing and/or tillable acres are available on each leased site;

(3) Whether the leased sites include any waterways or highly erodible lands;

(4) The date bids will be accepted;

(5) Instructions for submitting bids or a link to the instructions if available online;

(6) The bid opening and selection dates; and

(7) The point of contact at Land Management for additional information.

2.5. Application and Selection

2.5-1. *Application.* To submit a bid for an agricultural lease, applicants shall submit their sealed bid, to Land Management located at 470 Airport Drive, Oneida, WI 54155, before close of business on the final date for bid acceptance. When submitting the bid, applicants shall include a complete application, as made available on Land Management's website and at the Land Management Office, along with any required supporting documents. Bids submitted with incomplete applications or without required supporting documents will not be considered by Land Management.

(a) *Supporting Documents*. At a minimum, the agricultural application shall require submittal of the following documents:

(1) *Best Practices Rebate Enlistment*. On the application form, the applicant selects which additional best agricultural practices the applicant is willing to perform if awarded the lease and for which the Nation will issue a rebate in accordance with section 2.8 below.

(2) *Experience and Capacity Testament.* The applicant must include a signed statement that includes their years of farming experience, including explanation of any Seven Generation Agriculture knowledge the applicant has. The applicant must demonstrate that the applicant has the facility, access to equipment and capacity to perform the farming activities on the requested leased site.

2.5-2. *Selection*. In the event multiple bids are received for the same parcel, Land Management shall perform a lottery of the eligible applicants to select the winning applicant.

(a) *Absolute Tribal Member Preference.* When selecting bidders to award an agricultural lease following the advertising and bid process, Land Management shall apply an absolute Tribal member preference. In practice, that means that any time a tribal member applies for a lease and meets the minimum application and eligibility requirements, the tribal member will be awarded the lease regardless of anything in other applications that might make them more competitive. If multiple tribal members are eligible and submit complete applications, then Land Management shall perform a lottery of only the eligible tribal member applicants to select the winning applicant.

2.6. Tribal Member Requests for Land Not Published

2.6-1. A Tribal member may bring forth requests to lease for agricultural purposes specific parcels not currently published in the agricultural catalog, for example, a vacant parcel of land near their residence.

2.6-2. Upon receipt of any request from a tribal member for a lease of land not advertised as part of the Nation's agricultural leasing catalog, the leasing specialist shall prepare a recommendation for Land Commission's consideration.

(a) At a minimum, the recommendation must consider:

(1) Any current/proposed use by the Nation;

(2) Current zoning of the requested parcel;

(3) Contracts/liabilities involving the parcel;

(4) The proposed lease duration;

(5) The amount of tillable or usable acres available at the parcel; and

(6) Whether a LANDBAC evaluation has been completed on the parcel and the related findings.

(b) Recommendations to approve the lease request shall be forwarded to the Land Commission and the applicant for deliberation. Recommendations to deny the lease request shall be forwarded to the Division Director for review. If the Division Director agrees with the denial, a denial statement shall be issued to the applicant with notice as to whether the decision may be appealed to the Oneida Land Commission. Only discretionary decisions may be appealed to the Land Commission where a discretionary decision is one in which the requested land:

(1) Has been approved for agricultural use through the LANDBAC process;

(2) Is not subject to any contracts or outstanding liabilities that would interfere with the requested use of the parcel; and

(3) Has not been reserved for a future internal use pursuant to the LANDBAC process that would conflict with the requested use.

2.7. Agricultural Lease Documents and Rates

2.7-1. *Lease Documents*. The lease documents used by Land Management shall be prepared by the Oneida Law Office and approved by the Oneida Land Commission provided that, in addition to the requirements of the Leasing law, all agricultural leases shall include the following requirements:

(a) *Buffers.* In the event there is a waterway on the leased premises, the lessee shall maintain a waterway buffer wherein the setback for all waterway buffers must be a minimum of fifty (50) feet on either side of a defined waterway. Lessee will abide by the established setbacks and will not encroach on posted buffer areas. In the lease, the Nation shall allow the lessee to harvest any grass cut or mowed across buffer area and shall not include the buffer within the tillable acres of the lease.

(b) *Highly Erodible Lands (HEL).* In the event the leased area contains land identified as highly erodible, the lessee shall ensure there is a Conservation Plan that is approved by Natural Resources Conservation Services (NRCS) and noticed to the Nation that substantially reduces soil loss before farming the land. These areas will be identified in the lease.

(c) *Manure*. All agricultural leases shall prohibit manure from being spread on frozen ground, unless part of an approved grazing plan. Lease documents shall further note that the lessee is responsible for any movement of manure offsite and is responsible to clear off any affected roadways of mud or manure as needed and include the following requirements related to the spreading of manure:

(1) Each manure application shall comply with the following limits where the limits are per application and are not annual limits.

A. No Manure application from November 15 until February 28;

B. For liquid manure:

i. March 1 until April 15 no more than 10,000 gallons per acre;

ii. April 15 until Nov. 15 no more than 12,000 gallons per acre.

(2) *Pumping Liquid Manure*. Pumping of liquid manure shall comply with the following:

A. A pump operator shall be stationed at the pump at any time the pump is in operation in case of the need for immediate shutdown;

B. Hoses may not be run across or directly adjacent to waterways, through culverts, or under bridges that have flowing water. Specifically, liquid manure hoses must be maintained outside the fifty-foot (50 ft) buffer for all defined waterways, provided that an overhead pumping bridge may be used as an exception to this provision;

C. All hoses must be bolted together at all connections; and

D. Lines for tanker trucks must be one way only when hauling and staging manure on any town or county road.

(3) *Nutrient Management Plan Required*. Spreading of manure must be part of an approved Nutrient Management Plan and only be applied within the limits prescribed in the plan and subsection (a) hereof.

(4) *Weather Conditions*. No spreading of manure 24 hours prior to a forecasted rain event that is fifty percent (50%) or more likely to occur.

(5) *Notice to Nation Required*. Lessee or designee must give the Nation at least a 48-hours of written notice prior to manure application.

(d) *Nutrient Management Plan*. The agricultural lease shall require all lessees to provide an approved Nutrient Management Plan to the Ag Leasing Specialist and Resource Conservationist annually. The lease shall also encourage Lessees to enroll with the Farm Service Agency (FSA) and/or Natural Resources Conservation Services (NRCS). The Nutrient Management Plan shall require a plan for each field farmed individually, or groups of fields with the same crop and similar rotation. Further, the Nutrient Management Plan shall require the lessee to use seed lubricants designed to reduce the amount of fungicide and insecticide dust released during planting.

(e) *Long-Term Management Plan*. The lease shall incorporate Land Management's Long-Term Management Plan (see LANDBAC) for the applicable parcel and shall require the parties to cooperate to implement the plan and amend it from time to time as needed, with the help of mutually agreeable land use consultants, where appropriate. The lease shall require that both the Nation and the lessee agree in writing to any changes in the Long-Term Management Plan before such changes take effect.

(f) *Implementing Best Practices.* The lessee shall agree to implement, where possible,

the best management practices recommended by the Nation and to cooperate with NRCS soil and water conservation programs. The lease shall document any payment negotiations for such improvements. Further, the Leasing Specialist shall ensure the lease includes the Nation's Seven Generation Agricultural Practices explanation and rebate program information.

(g) *Restricted Activities*. The lease shall provide that, unless otherwise agreed to by the parties in writing, the following activities may not occur on leased premises and may subject the lessee to a 5-day lease termination in accordance with the Eviction and Termination law:

(1) Erecting permanent structures;
(2) Conversion of pasture acreage to any other purpose;
(3) Crop sharing or subleasing arrangements wherein crop sharing or subleasing means an arrangement between a lessee and third party that allows the third party to farm all or a portion of the leased land for a return of crop or a fee;
(5) Improper use of any restricted use chemical and/or use of any prohibited use chemicals, provided that restricted and prohibited use chemicals shall be defined by the ELA Division with the most current list noticed on the Division's website; and/or
(6) Applying municipal, commercial, or industrial sludge materials to the land.

(h) *Cooperative Farming Agreements.* The Nation fully encourages farmers to engage in cooperative farming. While crop sharing and/or subleasing arrangements are expressly prohibited, cooperative farming agreements can be distinguished from such agreement because under a cooperative farming agreement, the lessee is not releasing any control over the land for a third party's use. Pursuant to a cooperative farming agreement, both farmers must have the skills to self-perform portions of the work on their respective fields and will share the work and/or equipment needed to tend to crop. While payment may be made from a portion of the lessee's harvested crop, there is no shift in control and responsibility for the land from the lessee to a third party.

(i) *Record Keeping.* The lease shall require the lessee to maintain records of all herbicides, pesticides, insecticide, seed treatments, and nutrients utilized on leased land and shall require lessee to submit such records to the Nation on an annual basis.

(j) *Easements and Other Restrictions*. The lease shall require lessee to comply with terms and conditions of any current and/or future Agricultural Conservation Restrictions or other easements placed on any or all portions of the leased premises, provided that any such restrictions shall not unduly restrict normal agricultural activities.

(k) *Lease Term*. Agricultural lease terms shall not exceed five (5) years.

(l) *Hunting, Fishing and Trapping.* Lessees must allow access to leased agricultural land for hunting pursuant to the Oneida Nation Hunting, Fishing and Trapping map, which includes access to retrieve harvested animal.

2.7-2. *Agricultural Lease Rates.* The Oneida Land Commission shall set agricultural lease rates on an annual basis to occur no later than March 1st. Agricultural leases and options to extend shall be executed with lease costs matching the agricultural lease rates in effect at the time of signature of the agreement.

2.8. Seven Generations Rebate Program

2.8-1. *Seven Generations Rebate Program.* The purpose of the Nation's Seven Generations

Rebate Program is to incentivize farmers cultivating the Nation's land to implement best practices that provide the best protections for the soil and water, what Oneida calls Seven Generation Agricultural practices. To incentivize use of Seven Generation Agricultural practices, the Nation may provide rebates to agricultural lessees who sign-up to engage Seven Generation Agricultural Practices.

2.8-2. *Incorporating the Rebate Program into the Lease.* The lease application shall include the current list of Seven Generation Agricultural practices eligible for Oneida rebates and the lessee shall indicate which rebates the lessee is pursuing. The application shall further define any required verification required to be submitted to receive the rebate and a rebate distribution schedule with pricing information. The Leasing Specialist shall incorporate the selected rebates into the lease document through an exhibit, which shall include current information detailing what the lessee must do, including what submittals and inspections are required, prior to receiving each selected rebate. Rebates will be applied to the following year lease payments. For example, a lease signed in 2026 would have their first rebate review at the close of the first year with the amount of the rebate credited towards the 2027 lease fee.

2.8-3. *Seven Generations Agricultural Practices.* Are practices that the Oneida people have employed for time immemorial to care for our soil and water health and improve our biodiversity. Specific practices that embody Seven Generation Agricultural practices include the following:

(a) Promoting Oneida's food sovereignty by:
  (1) Growing food for direct community consumption; and/or
  (2) Other approved practices.

(b) Engage a good farming community by enrolling in approved agricultural programs (i.e. FSA, NRCS, NEW Water, Outagamie County Land Conservation Program);

(c) Improve Soil Structure by:
  (1) Planting cover crop (rebate must be for total acreage planted into cover crop);
  (2) Using of livestock to repair soil health (i.e. rotational grazing);
  (3) Applying liquid manure through low disturbance injection if there is no surface application and no tillage pre and post LDMI. Resource Conservationist or their designee must verify after manure application;
  (4) Planting into residue from thirty percent (30%) to fully green following crop harvest or spring termination where the Resource Conservationist or their designee must measure residue and verify in spring after planting;
  (5) Interseeding into a crop if seed mix and planting time prior to seeding is approved by the Resource Conservationist or their designee; and/or
  (6) Other approved practices.

(d) Increase Diversity of organisms within the soil biome by:
  (1) Planting food for human consumption with no GMO on 10% or more of the leased land;
  (2) Planting cover crop with a diverse seed mixture (minimum 5 seed varieties); and/or
  (3) Other approved practices.

(e) Benefit water quality by reducing runoff by:
  (1) Planting alfalfa with grass or adding alfalfa to grass where the Resource Conservationist or their designee must measure crop establishment after planting; and/or
  (2) Other approved practices.

(f) Prepare the next generation of farmers by:
(1) Hiring youth workers;
(2) Mentoring farmers within the community; and/or
(3) Other approved practices.

(g) Advocate for and teach Seven Generation Agricultural Practices by teaching approved courses through approved agricultural programs and/or other approved activities.

2.9. Conservation Plans and Other Required Submittals

2.9-1. All lessees shall submit a Conservation Plan or Management Nutrient Plan prepared by a certified agronomist on an annual basis which shall include a map of all tillable acres and all chemical inputs planned for the acreage. The EHL Division shall ensure all required submittals are complete. A failure to complete a submittal amounts to a lease violation and may be treated as such in accordance with the Eviction and Termination law.

2.10. Agricultural Lease Transfer or Assignment

2.10-1. *Transfer and Assignment*. Any documents used to transfer or assigned the lease shall be approved by Land Management and the Oneida Law Office in advance of execution. Sub-leasing, transfer or assignment of any agricultural lease must be approved by the Oneida Land Commission.

(a) Transfer must be voluntary, approved in writing by all parties, or court ordered by a court of competent jurisdiction;

(b) If the agricultural lease is transferred by sublease, the original lessee shall at all times remain responsible for ensuring compliance with the terms of the agricultural lease and any and all enforcement actions taken by Land Management and/or the Nation shall be taken against the original lessee. Any dispute as to who is responsible for the non-compliance constitutes a private dispute between the sublease parties and shall exclude Land Management and the Nation as a party to the dispute.

Original effective date:

MEMORANDUM

TO: Eric McLester, Environmental, Land & Agricultural Division Director
FROM: Sheila Huntington, Leasing Specialist
DATE: January 20, 2026
SUBJECT: Director Approval of Rule No. 2 – Agricultural Rule

The Land Management Area of the Environmental, Land & Agricultural Division and the Land Commission, as defined in the Leasing Law, is exercising its rulemaking authority to further define sections of Title 6, Chapter 602, Leasing Law.

This rule is newly drafted; this rule is not amendment to an existing rule.

Attached is the most recent DRAFT of the Rule. To send this to the LOC for certification, the Division Directors approval is needed.

Please review the document and sign below with your approval.

_X_ I approve Leasing Law Rule No. 2 – Agricultural Rule.

Eric McLester Digitally signed by Eric McLester
Date: 2026.03.11 13:29:28 -05'00'

Eric McLester, Director – Environmental, Land & Agricultural Division _____ Date

Oneida Land Commission

Regular Meeting
5:00 p.m. Monday, January 26, 2026
Little Bear Conference Room & Microsoft Teams

Minutes

Present: Chair Sidney White, Vice Chair Frederick Muscavitch, Secretary Gina Powless-Buenrostro, Commissioners: Patricia Cornelius, Tina Danforth, Donald McLester
Excused: N/A
Others Present: Amber Cornelius, Brooke Doxtator, Victoria Flowers (Teams), Lauren Hartman (Teams), Sheila Huntington (Teams), Eric McLester, Mark W. Powless, Jennifer Webster

I. CALL TO ORDER AND ROLL CALL

Meeting called to order by Chair Sidney White at 5:00 p.m.

II. ADOPT THE AGENDA

Motion by Tina Danforth to adopt the agenda with the following changes in IX. Executive Session A. Leases item 1 will be 3rd, item 2 will be 1st and item 3 will be 2nd, seconded by Donald McLester. Motion carried:

Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro

III. TASK LIST

A. New York Land
1. **Hunting**
2. **Eminent Domain**
3. **Business Committee Activity**

For the Record: Gina Powless-Buenrostro stated shouldn't the OBC be discussing with the OLC

B. Realtor Backup – Sid has draft memo in executive session for review
1. **Letter to BC/GM**
2. **Attorney Conflict**
3. **Business Committee Invite**

C. Developer Agreement

D. Hudson Road update – Eric mentioned it is in the Landbac process, is one of the first 2 properties to go out thru automated process, gone out to Planning and Development Director, and then out to the subject matter experts for their input and they have 30 days to get their comments back to Land Management and that is in process and they have about 20 days before all information is gathered for that property.

E. Add Zero Dollar Lease Criteria - bring to February 9, 2026

F. Monthly Meeting Amendment

G. **Research on Executive Session Actions –** need catalog of the actions taken and categorized by topic, (ex. resolutions, sops, etc.) starting from January 26, 2026 and going back 5 or 10 years.
H. **OLC Trainings:**
   1. **February 11, 2026 @ 11:00 a.m.**
   2. **March 11, 2026 @ 11:00 a.m.**
I. **OLC Probate Hearings:**
   1. **January 26, 2026 @ 3:15 p.m. Hearing Officers Sid, Fred, & Tina**
   2. **February 23, 2026 @ 3:15 p.m. Hearing Officers Don, Pat & Sid (Alternate Fred)**
J. **First-time Home Ownership Report –** See Executive Session IX.C2
K. **Auction Standard Operating Procedure**
L. **Budget addition update**
M. **Fee to trust report-priority - Eric January 26, 2026 –** Eric gave update oldest acquisitions first so no residential property would move ahead of someone else that has been waiting. 2012 and before. Eric will bring back an update to the February 9, 2026 meeting.
N. **Referral Response on Data Center**

IV. READING OF MINUTES

A. **Approve the January 14, 2026, regular Oneida Land Commission meeting minutes**
Sponsor: Gina Powless-Buenrostro

Motion by Frederick Muscavitch to approve the January 14, 2026, regular Oneida Land Commission meeting minutes, seconded by Donald McLester. Motion carried:

Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro

V. TABLED BUSINESS

VI. OLD BUSINESS

VII. NEW BUSINESS

VIII. REPORTS (FY-26 DEADLINES Q1-FEB 3, SEMI-ANNUAL-APR, Q2-MAY 5, Q3-AUG 4, ANNUAL-OCT, Q4-NOV 3)

A. **Approve the Oneida Land Commission FY-2026 1st quarter report**
Sponsor: Brooke Doxtator

Motion by Gina Powless-Buenrostro to approve the FY-2025 1st quarter report with the additions provided by the Commissioners, seconded by Patricia Cornelius. Motion carried:

Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro

Motion by Patricia Cornelius to go into executive session at 5:26 p.m. seconded by Tina Danforth. Motion carried:

Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro

Motion by Gina Powless-Buenrostro to come out of executive session at 7:03 p.m., seconded by Donald McLester. Motion carried:

Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro

IX. EXECUTIVE SESSION

A. LEASES

Item IX.A.2. addressed next.

1. Approve the Agricultural Rate for FY-2026
Sponsor: Lauren Hartman/Sheila Huntington

Motion by Gina Powless-Buenrostro to approve the minimum Agricultural Rates for FY-2026, $225.00 an acre for non-members and $175.00 for members, seconded by Tina Danforth. Motion carried:

Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro

Item IX.A.4. addressed next.

2. Accept the Commercial and Agricultural Leases Report
Sponsor: Lauren Hartman/Sheila Huntington

Motion by Frederick Muscavitch to accept the Commercial and Agricultural Leases report, seconded by Gina Powless-Buenrostro. Motion carried:

Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro

3. Approve the revised Rule #2 – Agricultural Rule
Sponsor: Lauren Hartman/Sheila Huntington

Motion by Gina Powless-Buenrostro to approve the revised Rule # 2 – Agricultural Rule with the deletion of 2.11-2 and replace Oneida judiciary with Oneida Land Commission in 2.11-1, adding legal complaints to definitions, seconded by Donald McLester. Motion carried:

Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro

Item IX.A.1. addressed next.

4. **Approve request to advertise the 10 agricultural properties**
   Sponsor: Lauren Hartman/Sheila Huntington

Motion by Frederick Muscavitch to approve the request to advertise the 10 agricultural properties as presented, seconded by Donald McLester. Motion carried:

Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro

5. **Accept the updates for Agricultural Lease File # 201904025 and Residential Business Lease File # 0220191V**
   Sponsor: Lauren Hartman/Sheila Huntington

Motion by Frederick Muscavitch to accept the updates for Agricultural Lease File # 201904025 and Residential Business Lease File # 0220191V as information, seconded by Donald McLester. Motion carried:

Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro

B. ACQUISITIONS

1. **Accept Land Acquisition Summary Report**
   Sponsor: Lauren Hartman

Motion by Gina Powless-Buenrostro to accept the Land Acquisition Summary Report, seconded by Fredick Muscavitch. Motion carried:

Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro

2. **Determine next steps regarding File # 012607R**
   Sponsor: Lauren Hartman

Motion by Frederick Muscavitch to approve further research on File # 012607R, seconded by Donald McLester. Motion carried:

Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro

3. **Determine next steps regarding File # 012608R**
   Sponsor: Lauren Hartman

Motion by Frederick Muscavitch to approve further research on File # 012608R, seconded by Tina Danforth. Motion carried:

Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro

4. **Determine next steps regarding File # 012609AR**
   Sponsor: Lauren Hartman

Motion by Frederick Muscavitch to approve further research on File # 012609AR, seconded by Patricia Cornelius. Motion carried:

Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro

5. **Determine next steps regarding File # 012610R**
   Sponsor: Lauren Hartman

Motion by Donald McLester to make an offer up to [redacted] for File # 012610R, seconded by Patricia Cornelius. Motion carried:

Ayes: Patricia Cornelius, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro
Abstained: Tina Danforth

For the record: Tina Danforth doesn't think there is enough value added to this acquisition

6. **Determine next steps regarding File # 122520A**
   Sponsor: Lauren Hartman

Motion by Gina Powless-Buenrostro to seek more information to pursue File # 122520A by the 2nd meeting in February, seconded by Tina Danforth. Motion carried:

Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro

Motion by Gina Powless-Buenrostro for staff to bring back the terms from the original purchase by the 2nd meeting in February, seconded by Tina Danforth. Motion carried:

Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro

Motion by Gina Powless-Buenrostro to request clarification on residential and agricultural lease timelines, seconded by Donald McLester. Motion carried:

Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro

C. OTHER

1. **Approve Sidney White's memorandum regarding Clarifications, Requests, and Statements from the Oneida Land Commission**
   Sponsor: Sidney White

Motion by Gina Powless-Buenrostro to accept the draft memo as information and forward comments to Brooke Doxtator, seconded by Donald McLester. Motion carried:

Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro

2. **Approve Affordable Home Ownership program information request memorandum**
   Sponsor: Sidney White

Motion by Gina Powless-Buenrostro to accept the submitted memo as information, seconded by Donald McLester. Motion carried:

Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro

X. ADJOURNMENT

Motion by Donald McLester to adjourn at 7:15 p.m., seconded by Tina Danforth. Motion carried:
Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro

Roll call for the record:
Present: Chair Sidney White, Vice Chair Frederick Muscavitch, Secretary Gina Powless-Buenrostro, Commissioners: Tina Danforth, Donald McLester

Minutes prepared by Brooke Doxtator, Boards, Committees, and Commissions Supervisor.
Minutes approved February 9, 2026.

Gina Powless-Buenrostro, Secretary
Oneida Land Commission

MEMORANDUM

TO: Land Commission
FROM: Sheila Huntington, Leasing Specialist
DATE: January 26, 2026
SUBJECT: Approval of Rule No. 2 – Agricultural Rule

The Land Management Area of the Environmental, Land & Agricultural Division and the Land Commission, as defined in the Leasing Law, is exercising its rulemaking authority to further define sections of Title 6, Chapter 602, Leasing Law, with rule changes.

This rule is newly drafted; this rule is not amendment to an existing rule.

Attached is the most recent DRAFT of the Rule. To send this to the LOC for certification, the Land Commission approval is needed. Please review the document.

With the Land Commission approval of the Rule No. 2 – Agricultural Rule, section 2-7-2. "*Agricultural Lease Rates.* We will present the agricultural lease rates from our research of agricultural lease rates for FY 2026, for approval for FY 2026 agricultural lease rates.

With the Land Commission approval of the Rule No. 2 – Agricultural Rule, section 2.4-1. "*Assessing Available Lands.* We will present 10 agricultural properties that expired on December 31, 2025, for approval to advertise.

Title 6. Property and Land – Chapter 602

LEASING LAW

Rule # 2 – Agricultural Leasing

2.1 Purpose and Authority
2.2 Adoption, Amendment and Repeal
2.3 Definitions
2.4 Approving and Advertising the Agricultural Leasing Catalog
2.5 Application and Selection
2.6 Tribal Member Requests for Land Not Published
2.7 Agricultural Lease Documents and Rates
2.8 Seven Generations Rebate Program
2.9 Conservation Plans and Other Required Submittals
2.10 Agricultural Lease Transfer or Assignment
2.11 Agricultural Leasing Actions

2.1. Purpose and Policy

2.1-1. Purpose. The purpose of the Agricultural Leasing Rule is to expand upon the information provided in the Leasing Law regarding the specific requirements for leasing land for agricultural purposes in a way that improves future soil health, enhances environmental policy to protect the air, soil, and water, and encourages the best regenerative agricultural practices available. The Land Office has a stated purpose to be Caretakers of the Land and that responsibility includes setting protective measures for future generations.

2.1-2. Policy. The policy behind the Agricultural Leasing program is to provide Tribal members and Tribal Programs/Departments, with preferential access to Tribal land for agricultural uses and make surplus agricultural lands available for agricultural leasing by non-Tribal members, using consistent and fair processes that ensure long-term health and productivity from high standards of stewardship.

2.2. Adoption and Authority

2.2-1. This rule was jointly adopted by Land Management and the Oneida Land Commission in accordance with the Administrative Rulemaking law.

2.2-2. This rule may be amended or repealed by the Land Commission pursuant to the procedures set out in the Administrative Rulemaking law.

2.2-3. Should a provision of this rule or the application of this rule to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this rule which are considered to have legal force without the invalid portions.

2.2-4. In the event of a conflict between a provision of this rule and a provision of another rule, internal policy, procedure, or other regulation; the provisions of this rule controls.

2.2-5. This rule supersedes all prior rules, regulations, internal policies or other requirements relating to the Leasing Law. The Oneida Nation does not recognize the authority of the Outagamie County Drainage Board~~.~~, provided that the Nation may work with various external entities, including the Outagamie County Drainage Board, to improve environmental and agricultural conditions as needed.

2.3. Definitions

2.3-1. This section governs the definitions of words and phrases used within this rule. All words not defined herein are to be used in their ordinary and everyday sense.

(a) *Manure* means an organic matter derived from ~~the~~ solid animal wastes, used to improve the soil quality and increase the yield of healthy crops. It includes bed pack

manure, raw~~ or green manure~~, or liquid manure. For the purposes of this rule, bed pack manure shall be treated the same as raw~~ or green~~ manure.

(b) *Prohibited Use Chemicals* means chemical products that are prohibited for use on Oneida Nation lands.

(c) *Restricted Use Chemicals* means products that may be used or applied only by a certified applicator and may include a list of specific products that are not allowed in excess of set limits.

(d) *Subleasing* means an arrangement between the lessee and another party that allows the other party to farm or use the land for a fee or a waiver of a fee. This also includes an arrangement that trades services in exchange for use of the land.

(e) *Waterway* means a natural or artificial channel within or adjacent to agricultural land which acts to drain water from the land which includes, but is not limited to, grassed waterways, streams, wetlands, lakes, and ditches including road ditches.

2.4. Approving and Advertising the Agricultural Leasing Catalog

2.4-1. *Assessing Available Lands*. At least once annually, Land Management shall prepare a list of lands available for agricultural leasing and shall present to the Land Commission for approval to add to the agricultural leasing catalog for advertising. In addition, Land Management may assess land as it becomes available, either through acquisition or lease expirations, and present to the Land Commission for approval to add to the agricultural leasing catalog for advertising.

2.4-2. *Right of First Refusal to Internal Entities*. Before land in the agricultural catalog is placed for publishing and advertising for the general public, the Oneida Nation ~~Farm, Tsyunhehkwa Farm, and the Oneida Orchard~~Farms will be given first right of refusal.

(a) If none of the Nation's named agricultural departments exercise their right of first refusal within thirty (30) calendar days, the land shall be noticed as available for internal assignment to all Oneida Nation internal entities for a minimum period of thirty (30) calendar days, provided that Land Management shall provide specific notice to internal entities that have agricultural, forestry, or natural resources interests as evidenced by existing internal entity building and/or land assignments.

(b) In the event multiple internal parties seek internal assignments for the same parcel, the General Manager shall determine which internal entity shall receive the parcel pursuant to an internal building and land assignment.

2.4-3. *Long-Term Management Plans.* Land Management shall develop long-term management plans for each parcel that shall be incorporated into agricultural lease documents and internal building and land assignments. The long-term management plans for each parcel will address the natural characteristics of the land, outline pertinent ecological principles, and set out environmentally responsible farming practices, that the lessee must implement throughout the property to be incorporated into the applicable lease documents.

2.4-4. *Advertising*. Except as provided in section 2.4-2., Land Management shall not enter any agricultural leases without having first advertised the subject parcels as provided in this section.

(a) *When and Where to Advertise*. Following approval of the agricultural leasing catalog and after the time period expires for all internal parties to request use of the land, Land Management shall publish notice of agricultural leasing lands available as follows:

(1) *In Print*. Land Management shall advertise the annual agricultural catalog available for leasing in the May edition of the ~~Kahliwisaks~~Kalihwisaks. Print notice is required only once annually, and land may be added to catalog and advertised online as they become available given that the ~~Kahliwisaks~~Kalihwisaks

has limited publishing dates that could delay agricultural leasing; and

(2) *Online.* Land Management shall advertise all land available for agricultural leasing on the social media accounts of the Nation and Land Management and the Land Management website to the extent such accounts exist, for a minimum of 30 days prior to accepting bids.

(b) *Notice Contents.* Each notice shall include, at a minimum, the following information:

(1) The address/location of each leased site;

(2) How many grazing and/or tillable acres are available on each leased site;

(3) Whether the leased sites include any waterways or highly erodible lands;

(4) The date bids will be accepted;

(5) Instructions for submitting bids or a link to the instructions if available online;

(6) The bid opening and selection dates; and

(7) The point of contact at Land Management for additional information.

2.5. Application and Selection

2.5-1. *Application.* To submit a bid for an agricultural lease, applicants shall submit their sealed bid, to Land Management located at 470 Airport Drive, Oneida, WI 54155, before close of business on the final date for bid acceptance. When submitting the bid, applicants shall include a complete application, as made available on Land Management's website and at the Land Management Office, along with any required supporting documents. Bids submitted with incomplete applications or without required supporting documents will not be considered by Land Management.

(a) *Supporting Documents*. At a minimum, the agricultural application shall require submittal of the following documents:

(1) *Best Practices Rebate Enlistment*. On the application form, the applicant selects which additional best agricultural practices the applicant is willing to perform if awarded the lease and for which the Nation will issue a rebate in accordance with section 2.8 below.

(2) *Experience and Capacity Testament.* The applicant must include a signed statement that includes their years of farming experience, including explanation of any Seven Generation Agriculture knowledge the applicant has. The applicant must demonstrate that the applicant has the facility, access to equipment and capacity to perform the farming activities on the requested leased site.

2.5-2. *Selection*. In the event multiple bids are received for the same parcel, Land Management shall perform a lottery of the eligible applicants to select the winning applicant.

(a) *Absolute Tribal Member Preference.* When selecting bidders to award an agricultural lease following the advertising and bid process, Land Management shall apply an absolute Tribal member preference. In practice, that means that any time a tribal member applies for a lease and meets the minimum application and eligibility requirements, the tribal member will be awarded the lease regardless of anything in other applications that might make them more competitive. If multiple tribal members are eligible and submit complete applications, then Land Management shall perform a lottery of only the eligible tribal member applicants to select the winning applicant.

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2.6. Tribal Member Requests for Land Not Published

2.6-1. A Tribal member may bring forth requests to lease for agricultural purposes specific parcels not currently published in the agricultural catalog, for example, a vacant parcel of land near their residence.

2.6-2. Upon receipt of any request from a tribal member for a lease of land not advertised as part of the Nation's agricultural leasing catalog, the leasing specialist shall prepare a recommendation for Land Commission's consideration.

(a) At a minimum, the recommendation must consider:

(1) Any current/proposed use by the Nation;

(2) Current zoning of the requested parcel;

(3) Contracts/liabilities involving the parcel;

(4) The proposed lease duration;

(5) The amount of tillable or usable acres available at the parcel; and

(6) Whether a LANDBAC evaluation has been completed on the parcel and the related findings.

(b) Recommendations to approve the lease request shall be forwarded to the Land Commission and the applicant for deliberation. Recommendations to deny the lease request shall be forwarded to the Division Director for review. If the Division Director agrees with the denial, a denial statement shall be issued to the applicant with notice as to whether the decision may be appealed to the Oneida Land Commission. Only discretionary decisions may be appealed to the Land Commission where a discretionary decision is one in which the requested land:

(1) Has been approved for agricultural use through the LANDBAC process;

(2) Is not subject to any contracts or outstanding liabilities that would interfere with the requested use of the parcel; and

(3) Has not been reserved for a future internal use pursuant to the LANDBAC process that would conflict with the requested use.

2.7. Agricultural Lease Documents and Rates

2.7-1. *Lease Documents*. The lease documents used by Land Management shall be prepared by the Oneida Law Office and approved by the Oneida Land Commission provided that, in addition to the requirements of the Leasing law, all agricultural leases shall include the following requirements:

(a) *Buffers.* In the event there is a waterway on the leased premises, the lessee shall maintain a waterway buffer wherein the setback for all waterway buffers must be a minimum of fifty (50) feet on either side of a defined waterway. Lessee will abide by the established setbacks and will not encroach on posted buffer areas. In the lease, the Nation shall allow the lessee to harvest any grass cut or mowed across buffer area and shall not include the buffer within the tillable acres of the lease.

(b) *Highly Erodible Lands (HEL).* In the event the leased area contains land identified as highly erodible, the lessee shall ensure there is a Conservation Plan that is approved by Natural Resources Conservation Services (NRCS) and noticed to the Nation that substantially reduces soil loss before farming the land. These areas will be identified in the lease.

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(c) *Manure*. All agricultural leases shall prohibit manure from being spread on frozen ground, unless part of an approved grazing plan. Lease documents shall further ~~notethat~~note that the lessee is responsible for any movement of manure offsite and is responsible to clear off any affected roadways of mud or manure as needed and include the following requirements related to the spreading of manure:

(1) ~~Limits for~~Each manure application ~~of manure will be~~shall comply with the following~~:~~ limits where the limits are per application and are not annual limits.

A. No Manure application from ~~Nov.~~November 15 until February 28;

B. For liquid manure:

i. March 1 until April 15 no more than 10,000 gallons per acre;

ii. April 15 until Nov. 15 no more than 12,000 gallons per acre.

(2) *Pumping Liquid Manure*. Pumping of liquid manure shall comply with the following:

A. A pump operator shall be stationed at the pump at ~~all~~any time the pump is in operation in case of the need for immediate shutdown;

B. Hoses may not be run across or directly adjacent to waterways, through culverts, or under bridges that have flowing water. Specifically, liquid manure hoses must be maintained outside the fifty-foot (50 ft) buffer for all defined waterways~~;~~, provided that an overhead pumping bridge may be used as an exception to this provision;

C. All hoses must be bolted together at all connections; and

D. Lines for tanker trucks must be one way only when hauling and staging manure on any town or county road.

(3) *Nutrient Management Plan Required*. Spreading of manure must be part of an approved Nutrient Management Plan and only be applied within the limits prescribed in the plan and subsection (a) hereof.

(4) *Weather Conditions*. No spreading of manure 24 hours prior to a forecasted rain event that is fifty percent (50%) or more likely to occur.

(5) *Notice to Nation Required*. Lessee or designee must give the Nation at least a 48-hours of written notice prior to manure application.

(d) *Nutrient Management Plan*. The agricultural lease shall require all lessees to provide an approved Nutrient Management Plan to the Ag Leasing Specialist and Resource Conservationist annually. The lease shall also encourage Lessees to enroll with the Farm Service Agency (FSA) and/or Natural Resources Conservation Services (NRCS). The Nutrient Management Plan shall require a plan for each field farmed individually, or groups of fields with the same crop and similar rotation. Further, the Nutrient Management Plan shall require the lessee to use seed lubricants designed to reduce the amount of fungicide and insecticide dust released during planting.

(e) *Long-Term Management Plan*. The lease shall incorporate Land Management's Long-Term Management Plan (see LANDBAC) for the applicable parcel and shall require the parties to cooperate to implement the plan and amend it from time to time as needed, with the help of mutually agreeable land use consultants, where appropriate. The lease shall require that both the Nation and the lessee agree in writing to any changes in the Long-Term Management Plan before such changes take effect.

(f) *Implementing Best Practices.* The lessee shall agree to implement, where possible,

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the best management practices recommended by the Nation and to cooperate with NRCS soil and water conservation programs. The lease shall document any payment negotiations for such improvements. Further, the Leasing Specialist shall ensure the lease includes the Nation's Seven Generation Agricultural Practices explanation and rebate program information.

(g) *Restricted Activities*. The lease shall provide that, unless otherwise agreed to by the parties in writing, the following activities may not occur on leased premises and may subject the lessee to a 5-day lease termination in accordance with the Eviction and Termination law:

(1) Erecting permanent structures;
(2) Conversion of pasture acreage to any other purpose;
(3) Crop sharing or subleasing arrangements wherein crop sharing or subleasing means an arrangement between a lessee and third party that allows the third party to farm all or a portion of the leased land for a return of crop or a fee;
(5) Improper use of any restricted use chemical and/or use of any prohibited use chemicals, provided that restricted and prohibited use chemicals shall be defined by the ELA Division with the most current list noticed on the Division's website; and/or
(6) Applying municipal, commercial, or industrial sludge materials to the land.

(h) *Cooperative Farming Agreements.* The Nation fully encourages farmers to engage in cooperative farming. While crop sharing and/or subleasing arrangements are expressly prohibited, cooperative farming agreements can be distinguished from such agreement because under a cooperative farming agreement, the lessee is not releasing any control over the land for a third party's use. Pursuant to a cooperative farming agreement, both farmers must have the skills to self-perform portions of the work on their respective fields and will share the work and/or equipment needed to tend to crop. While payment may be made from a portion of the lessee's harvested crop, there is no shift in control and responsibility for the land from the lessee to a third party.

(i) ~~*Recording*~~*Record Keeping.* The lease shall require the lessee to maintain records of all herbicides, pesticides, insecticide, seed treatments, and nutrients utilized on leased land and shall require ~~to~~ lessee to ~~make said~~ submit such records to the Nation on an annual basis.

(j) *Easements and Other Restrictions*. The lease shall require lessee to comply with terms and conditions of any current and/or future Agricultural Conservation Restrictions or other easements placed on any or all portions of the leased premises, provided that any such restrictions shall not unduly restrict normal agricultural activities.

(k) ~~———~~*Lease Term*. Agricultural lease terms shall not exceed five (5) years.

(l) *Hunting, Fishing and Trapping.* Lessees must allow access to leased agricultural land for hunting pursuant to the Oneida Nation Hunting, Fishing and Trapping map, which includes access to retrieve harvested animal.

2.7-2. *Agricultural Lease Rates.* The Oneida Land Commission shall set agricultural lease rates on an annual basis to occur no later than March 1st. Agricultural leases and options to extend shall be executed with lease costs matching the agricultural lease rates in effect at the time of signature of the agreement.

2.8. Seven Generations Rebate Program

2.8-1. *Seven Generations Rebate Program.* The purpose of the Nation's Seven Generations Rebate Program is to incentivize farmers cultivating the Nation's land to implement best practices that provide the best protections for the soil and water, what Oneida calls Seven Generation Agricultural practices. To incentivize use of Seven Generation Agricultural practices, the Nation may provide rebates to agricultural lessees who sign-up to engage Seven Generation Agricultural Practices.

2.8-2. *Incorporating the Rebate Program into the Lease.* The lease application shall include the current list of Seven Generation Agricultural practices eligible for Oneida rebates and the lessee shall indicate which rebates the lessee is pursuing. The application shall further define any required verification required to be submitted to receive the rebate and a rebate distribution schedule with pricing information. The Leasing Specialist shall incorporate the selected rebates into the lease document through an exhibit, which shall include current information detailing what the lessee must do, including what submittals and inspections are required, prior to receiving each selected rebate. Rebates will be applied to the following year lease payments. For example, a lease signed in 2026 would have their first rebate review at the close of the first year with the amount of the rebate credited towards the 2027 lease fee.

2.8-3. *Seven Generations Agricultural Practices.* Are practices that the Oneida people have employed for time immemorial to care for our soil and water health and improve our biodiversity. Specific practices that embody Seven Generation Agricultural practices include the following:

(a) Promoting Oneida's food sovereignty by:

(1) Growing food for direct community consumption; and/or

(2) Other approved practices.

(b) Engage a good farming community by enrolling in approved agricultural programs (i.e. FSA, NRCS, NEW Water, Outagamie County Land Conservation Program);

(c) Improve Soil Structure by:

(1) Planting cover crop (rebate must be for total acreage planted into cover crop);

(2) Using of livestock to repair soil health (i.e. rotational grazing~~/chickens~~);

(3) Applying liquid manure through low disturbance injection if there is no surface application and no tillage pre and post LDMI. Resource Conservationist or their designee must verify after manure application;

(4) Planting into residue from thirty percent (30%) to fully green following crop harvest or spring termination where the Resource Conservationist or their designee must measure residue and verify in spring after planting;

(5) Interseeding into a crop if seed mix and planting time prior to seeding is approved by the Resource Conservationist or their designee; and/or

(6) Other approved practices.

(d) Increase Diversity of organisms within the soil biome by:

(1) Planting food for human consumption with no GMO on 10% or more of the leased land;

(2) Planting cover crop with a diverse seed mixture~~;~~ (minimum 5 seed varieties); and/or

(3) Other approved practices.

(e) Benefit water quality by reducing runoff by:

(1) Planting alfalfa with grass or adding alfalfa to grass where the Resource Conservationist or their designee must measure crop establishment after planting; and/or

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(2) Other approved practices.

(f) Prepare the next generation of farmers by:

(1) Hiring youth workers;

(2) Mentoring farmers within the community; and/or

(3) Other approved practices.

(g) Advocate for and teach Seven Generation Agricultural Practices by teaching approved courses through approved agricultural programs and/or other approved activities.

2.9. Conservation Plans and Other Required Submittals

2.9-1. All lessees shall submit a Conservation Plan or Management Nutrient Plan prepared by a certified agronomist on an annual basis which shall ~~includes~~include a map of all tillable acres and all chemical inputs planned for the acreage. The EHL Division shall ensure all required submittals are complete. A failure to complete a submittal amounts to a lease violation and may be treated as such in accordance with the Eviction and Termination law.

2.10. Agricultural Lease Transfer or Assignment

2.10-1. *Transfer and Assignment*. Any documents used to transfer or assigned the lease shall be approved by Land Management and the Oneida Law Office in advance of execution. Sub-leasing, transfer or assignment of any agricultural lease must be approved by the Oneida Land Commission.

(a) Transfer must be voluntary, approved in writing by all parties, or court ordered by a court of competent jurisdiction;

(b) If the agricultural lease is transferred by sublease, the original lessee shall at all times remain responsible for ensuring compliance with the terms of the agricultural lease and any and all enforcement actions taken by Land Management and/or the Nation shall be taken against the original lessee. Any dispute as to who is responsible for the non-compliance constitutes a private dispute between the sublease parties and shall exclude Land Management and the Nation as a party to the dispute.

~~**2.11. Agricultural Leasing Actions**~~

~~2.11-1. The Oneida Judiciary is granted jurisdiction to hear legal complaints filed regarding actions taken pursuant to this rule.~~

~~2.11-2. No administrative hearing body, including a board, committee, or commission, is authorized to hear a complaint regarding actions taken pursuant to this rule.~~

Original effective date: ~~ASAP~~

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Oneida Land Commission

Regular Meeting
5:00 p.m. Monday, February 23, 2026
Little Bear Conference Room & Microsoft Teams

Minutes

Present: Chair Sidney White, Vice Chair Frederick Muscavitch, Secretary Gina Powless-Buenrostro, Commissioners: Patricia Cornelius, Tina Danforth, Donald McLester
Arrived at:
Others Present: Amber Cornelius, Brooke Doxtator, Victoria Flowers (Teams), Lauren Hartman (Teams), Sheila Huntington (Teams), Eric McLester, Mark W. Powless, Brenda Skenandore;

I. CALL TO ORDER AND ROLL CALL

Meeting called to order by Chair Sidney White at 5:00 p.m.

II. ADOPT THE AGENDA

Motion by Gina Powless-Buenrostro to adopt the agenda addressing items VII.E. and VII.F. first and one (1) add-on [VII.G. Agricultural Lease Rule # 2], seconded by Donald McLester. Motion carried:

Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro

Items VII.E. and VII.F. addressed next

III. TASK LIST

- **A. Developer Agreement**
- **B. Hudson Road update**
- **C. Add Zero Dollar Lease Criteria February 23, 2026**
- **D. Monthly Meeting Amendment**
- **E. Research on Executive Session Actions**
- **F. OLC Trainings:**
  1. **March 11, 2026 @ 11:00 a.m.**
  2. **April 8, 2026 @ 11:00 a.m.**
- **G. OLC Probate Hearings:**
  1. **February 23, 2026 @ 3:15 p.m. Hearing Officers Don, Pat & Sid (Alternate Fred)**
- **H. Auction Standard Operating Procedure February 23, 2026**
- **I. Fee to trust report-priority Eric February 23, 2026**

IV. READING OF MINUTES

A. Approve the February 9, 2026, regular Oneida Land Commission meeting minutes
Sponsor: Gina Powless-Buenrostro

Motion by Frederick Muscavitch to approve the February 9, 2026, regular Oneida Land Commission meeting minutes, seconded by Gina Powless-Buenrostro. Motion carried:

Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro

V. TABLED BUSINESS

VI. OLD BUSINESS

VII. NEW BUSINESS

A. Review and Approve Zero Dollar Lease Draft SOP
Sponsor: Eric McLester

Motion by Frederick Muscavitch to accept as information and to provide feedback to the next meeting, seconded by Gina Powless-Buenrostro. Motion carried:

Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro

B. Review and Approve Auction Process for Acquisitions Draft SOP
Sponsor: Eric McLester

Motion by Frederick Muscavitch to approve the Auction Process for Acquisition SOP, seconded by Tina Danforth. Motion carried:

Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro

C. Review and Discuss Oneida Land Commission By-laws
Sponsor: Sidney White

Motion by Frederick Muscavitch to add 5 more minutes, seconded by Gina Powless-Buenrostro. Motion carried:

Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro

Motion by Donald McLester to accept as information, to forward comments to the BCC Supervisor and bring back the redline to 2nd meeting in March, seconded by Tina Danforth. Motion carried:

Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro

D. Acquisitions/Trainee proposal
Sponsor: Eric McLester

Motion by Frederick Muscavitch accept the verbal update as information, seconded by Tina Danforth. Motion carried:

Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro

E. Adopt resolution entitled Fee to Trust Application for Property Located at 1135 Centennial Centre Blvd
Sponsor: Eric McLester/Brenda Skenandore

F. Adopt resolution entitled Fee to Trust Application for Property Located at 2685 West Mason Street
Sponsor: Eric McLester/Brenda Skenandore

Motion by Gina Powless-Buenrostro to adopt resolutions entitled Amending Resolution # LC-02-24-25-A Fee to Trust Application for Property Located at 1135 Centennial Centre Blvd and Amending Resolution # LC-02-24-25-C Fee to Trust Application for Property Located at 2685 W Mason Street, seconded by Frederick Muscavitch. Motion carried:

Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro

Item VI.A. addressed next.

G. Agricultural Lease Rule #2
Sponsor: Eric McLester

Motion by Gina Powless-Buenrostro to approve the agricultural lease rule as working documents and forward to the Legislative Operating Committee for final approval, seconded by Donald McLester. Motion carried:

Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro

VIII. REPORTS (FY-26 DEADLINES Q1-FEB 3, SEMI-ANNUAL-APR, Q2-MAY 5, Q3-AUG 4, ANNUAL-OCT, Q4-NOV 3)

A. Joint Meeting Follow-up
Sponsor: Frederick Muscavitch

Motion by Frederick Muscavitch to schedule the joint meeting on Monday, March 23, 2026, at 10:00 a.m., seconded by Patricia Cornelius. Motion carried:

Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro

Motion by Patricia Cornelius to go into executive session at 5:37 p.m., seconded by Tina Danforth. Motion carried:

Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro

Motion by Frederick Muscavitch to come out of executive session at 6:13 p.m., seconded by Donald McLester. Motion carried:

Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro

IX. EXECUTIVE SESSION

A. LEASES

B. ACQUISITIONS

1. Accept Land Acquisition Summary Report
Sponsor: Lauren Hartman

Motion by Donald McLester to accept the Land Acquisition Summary Report as information, seconded by Patricia Cornelius. Motion carried:

Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro

2. Approve Final Report for File # 092509A
Sponsor: Lauren Hartman

Motion by Frederick Muscavitch to approve the Final Report for File # 092509A, seconded by Tina Danforth. Motion carried:

Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro

3. Determine next steps regarding File # 022610V
Sponsor: Lauren Hartman

Motion by Frederick Muscavitch to accept the update regarding File # 022610V as information, seconded by Donald McLester. Motion carried:

Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro

4. Discussion and Action on Priorities
Sponsor: Frederick Muscavitch

Motion by Frederick Muscavitch for Fred to draft a letter and for to Gina review the response to the attorney, seconded by Donald McLester. Motion carried:

Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro

C. OTHER

1. Applications for Review and determine next steps
Sponsor: Sidney White

Motion by Gina Powless-Buenrostro to support Brian Denny Jr. for appointment on the Land Commission, seconded by Tina Danforth. Motion carried:

Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro

2. Determine next steps regarding Add-ons
Sponsor: Sidney White

Motion by Gina Powless-Buenrostro to submit any comments regarding the bylaws to Brooke, seconded by Donald McLester. Motion carried:

Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro

X. ADJOURNMENT

Motion by Donald McLester to adjourn at 6:17 p.m., seconded by Tina Danforth. Motion carried:
Ayes: Patricia Cornelius, Tina Danforth, Donald McLester, Frederick Muscavitch, Gina Powless-Buenrostro

Roll call for the record:
Present: Chair Sidney White, Vice Chair Frederick Muscavitch, Secretary Gina Powless-Buenrostro, Commissioners: Patricia Cornelius, Tina Danforth, Donald McLester

Minutes prepared by Brooke Doxtator, BCC Supervisor.
Minutes approved March 9, 2026.

_____
Gina Powless-Buenrostro, Secretary
Oneida Land Commission

Summary Report for: Land Management

Original Effective Date: N/A

Amendment Effective Date:

Name of Rule: Agricultural Leasing

Name Law being Interpreted: Real Property Law

Rule #: 2

Other Laws or Rules that may be affected: N/A

Brief Summary of the proposed rule:

- Formalizes a former general practice and SOP into an administrative rule while expanding the scope to apply to leasing agricultural for non-tribal and tribal members on land owned by the Nation.

Financial Analysis:

- Unknown, this rule allows Land Commission to set the agriculture rate annually.

NOTICE OF

PUBLIC MEETING

TO BE HELD

September 10, 2025, at 9:30-Noon

IN THE

Eagle Room – Employees Services Building
1940 West Mason Street
Green Bay, WI, 54304

In accordance with the Administrative Rulemaking Law, Land Management and the Oneida Land Commission is hosting this Public Meeting to gather feedback from the community regarding the following rule.

TOPIC: Agricultural Rule

This is a proposal to revise a rule by:

- Replacing the current Chapter 602 Rule No. 2 format to expand on the information provided in the Leasing Law regarding requirements for leasing land for agricultural purposes;
- Updating agricultural leasing requirements will help to improve future soil health, enhance the environment to protect the air, soil, and water and encourage the best regenerative agricultural practices available:
- Providing processes for Tribal members and Tribal/Departments/Departments to access the Nations land for Agricultural purposes;

To obtain copies of the Public Meeting documents for this proposal, please visit **www.oneida-nsn.gov/Register/PublicMeetings**.

PUBLIC COMMENT PERIOD OPEN UNTIL September 17, 2025

During the Public Comment Period, all interested persons may submit written comments and/or a transcript of any testimony/spoken comments made during the Public Meeting. These may be submitted to Oneida Land Management by U.S. mail, interoffice mail, e- mail or fax.

Oneida Land Management
PO Box 365, Oneida, WI 54155
shunting@oneidanation.org
Phone: 920-869-6610

Environmental, Land, Agriculture Division

ONEIDA
A good mind. A good heart. A strong fire.

Land Management Public Meeting
Draft Agricultural Rule

You are invited to attend the 2nd Public Meeting and submit your verbal comments.

The flyer for the Public Meeting, as well as the redline and clean drafts of the Agricultural Rule are included in this notice.

Public Meeting Information:

- The meeting will be recorded.
- Comments can be on the draft rule only.
- Attendees must state their name clearly and will receive 3 minutes to state their comments on the draft rule.
- If there are attendees that are not able to state their verbal comments, written comments are due by September 17, 2025. More information is listed in the attached flyer.

For questions contact:
Nicole Rommel, 920-869-6505, nrommel@oneidanation.org
Sheila Huntington, 920-869-6610, shunting@oneidanation.org3.

Notice sent August 26, 2025

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Title 6. Property and Land – Chapter 602

LEASING LAW

Rule # 2 – Agricultural Leasing

2.1 Purpose and Authority
2.2 Adoption, Amendment and Repeal
2.3 Definitions
2.4 Approving and Advertising the Agricultural Leasing Catalog
2.5 Application and Selection
2.6 Tribal Member Requests for Land Not Published
2.7 Agricultural Lease Documents and Rates
2.8 Seven Generations Rebate Program
2.9 Conservation Plans and Other Required Submittals
2.10 Agricultural Lease Transfer or Assignment
2.11 Agricultural Leasing Actions

2.1. Purpose and Policy

2.1-1. Purpose. The purpose of the Agricultural Leasing Rule is to expand upon the information provided in the Leasing Law regarding the specific requirements for leasing land for agricultural purposes in a way that improves future soil health, enhances environmental policy to protect the air, soil, and water, and encourages the best regenerative agricultural practices available. The Land Office has a stated purpose to be Caretakers of the Land and that responsibility includes setting protective measures for future generations.

2.1-2. Policy. The policy behind the Agricultural Leasing program is to provide Tribal members and Tribal Programs/Departments, with preferential access to Tribal land for agricultural uses and make surplus agricultural lands available for agricultural leasing by non-Tribal members, using consistent and fair processes that ensure long-term health and productivity from high standards of stewardship.

2.2. Adoption and Authority

2.2-1. This rule was jointly adopted by Land Management and the Oneida Land Commission in accordance with the Administrative Rulemaking law.

2.2-2. This rule may be amended or repealed by the Land Commission pursuant to the procedures set out in the Administrative Rulemaking law.

2.2-3. Should a provision of this rule or the application of this rule to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this rule which are considered to have legal force without the invalid portions.

2.2-4. In the event of a conflict between a provision of this rule and a provision of another rule, internal policy, procedure, or other regulation; the provision of this rule controls.

2.2-5. This rule supersedes all prior rules, regulations, internal policies or other requirements relating to the Leasing Law. The Oneida Nation does not recognize the authority of the Outagamie County Drainage Board.

2.3. Definitions

2.3-1. This section governs the definitions of words and phrases used within this rule. All words not defined herein are to be used in their ordinary and everyday sense.

(a) *Manure* means an organic matter derived from the solid animal wastes, used to improve the soil quality and increase the yield of healthy crops. It includes bed pack manure, raw or green manure, or liquid manure. For the purposes of this rule, bed pack manure shall be treated the same as raw or green manure.

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(b) *Prohibited Use Chemicals* means chemical products that are prohibited for use on Oneida Nation lands.

(c) *Restricted Use Chemicals* means products that may be used or applied only by a certified applicator and may include a list of specific products that are not allowed in excess of set limits.

(d) *Subleasing* means an arrangement between the lessee and another party that allows the other party to farm or use the land for a fee or a waiver of a fee. This also includes an arrangement that trades services in exchange for use of the land.

(e) *Waterway* means a natural or artificial channel within or adjacent to agricultural land which acts to drain water from the land which includes, but is not limited to, grassed waterways, streams, wetlands, lakes, and ditches including road ditches.

2.4. Approving and Advertising the Agricultural Leasing Catalog

2.4-1. *Assessing Available Lands*. At least once annually, Land Management shall prepare a list of lands available for agricultural leasing and shall present to the Land Commission for approval to add to the agricultural leasing catalog for advertising. In addition, Land Management may assess land as it becomes available, either through acquisition or lease expirations, and present to the Land Commission for approval to add to the agricultural leasing catalog for advertising.

2.4-2. *Right of First Refusal to Internal Entities*. Before land in the agricultural catalog is placed for publishing and advertising for the general public, the Oneida Nation Farm, Tsyunhehkwa Farm, and the Oneida Orchard will be given first right of refusal.

(a) If none of the Nation's named agricultural departments exercise their right of first refusal within thirty (30) calendar days, the land shall be noticed as available for internal assignment to all Oneida Nation internal entities for a minimum period of thirty (30) calendar days, provided that Land Management shall provide specific notice to internal entities that have agricultural, forestry, or natural resources interests as evidenced by existing internal entity building and/or land assignments.

(b) In the event multiple internal parties seek internal assignments for the same parcel, the General Manager shall determine which internal entity shall receive the parcel pursuant to an internal building and land assignment.

2.4-3. *Long-Term Management Plans.* Land Management shall develop long-term management plans for each parcel that shall be incorporated into agricultural lease documents and internal building and land assignments. The long term management plans for each parcel will address the natural characteristics of the land, outline pertinent ecological principles, and set out environmentally responsible farming practices, that the lessee must implement throughout the property to be incorporated into the applicable lease documents.

2.4-4. *Advertising*. Except as provided in section 2.4-2., Land Management shall not enter any agricultural leases without having first advertised the subject parcels as provided in this section.

(a) *When and Where to Advertise*. Following approval of the agricultural leasing catalog and after the time period expires for all internal parties to request use of the land, Land Management shall publish notice of agricultural leasing lands available as follows:

(1) *In Print*. Land Management shall advertise the annual agricultural catalog available for leasing in the May edition of the Kalihwisaks. Print notice is required only once annually and land may be added to catalog and advertised online as they become available given that the Kalihwisaks has limited publishing dates that could delay agricultural leasing; and

(2) *Online.* Land Management shall advertise all land available for

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agricultural leasing on the social media accounts of the Nation and Land Management and the Land Management website to the extent such accounts exist, for a minimum of 30 days prior to accepting bids.

(b) *Notice Contents.* Each notice shall include, at a minimum, the following information:

(1) The address/location of each leased site;
(2) How many grazing and/or tillable acres are available on each leased site;
(3) Whether the leased sites include any waterways or highly erodible lands;
(4) The date bids will be accepted;
(5) Instructions for submitting bids or a link to the instructions if available online;
(6) The bid opening and selection dates; and
(7) The point of contact at Land Management for additional information.

2.5. Application and Selection

2.5-1. *Application.* To submit a bid for an agricultural lease, applicants shall submit their sealed bid, to Land Management located at 470 Airport Drive, Oneida, WI 54155, before close of business on the final date for bid acceptance. When submitting the bid, applicants shall include a complete application, as made available on Land Management's website and at the Land Management Office, along with any required supporting documents. Bids submitted with incomplete applications or without required supporting documents will not be considered by Land Management.

(a) *Supporting Documents*. At a minimum, the agricultural application shall require submittal of the following documents:

(1) *Best Practices Rebate Enlistment*. On the application form, the applicant selects which additional best agricultural practices the applicant is willing to perform if awarded the lease and for which the Nation will issue a rebate in accordance with section 2.8 below.

(2) *Experience and Capacity Testament.* The applicant must include a signed statement that includes their years of farming experience, including explanation of any Seven Generation Agriculture knowledge the applicant has. The applicant must demonstrate that the applicant has the facility, access to equipment and capacity to perform the farming activities on the requested leased site.

2.5-2. *Selection*. In the event multiple bids are received for the same parcel, Land Management shall perform a lottery of the eligible applicants to select the winning applicant.

(a) *Absolute Tribal Member Preference.* When selecting bidders to award an agricultural lease following the advertising and bid process, Land Management shall apply an absolute Tribal member preference. In practice, that means that any time a tribal member applies for a lease and meets the minimum application and eligibility requirements, the tribal member will be awarded the lease regardless of anything in other applications that might make them more competitive. If multiple tribal members are eligible and submit complete applications, then Land Management shall perform a lottery of only the eligible tribal member applicants to select the winning applicant**.**

2.6. Tribal Member Requests for Land Not Published

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2.6-1. A Tribal member may bring forth requests to lease for agricultural purposes specific parcels not currently published in the agricultural catalog, for example, a vacant parcel of land near their residence.

2.6-2. Upon receipt of any request from a tribal member for a lease of land not advertised as part of the Nation's agricultural leasing catalog, the leasing specialist shall prepare a recommendation for Land Commission's consideration.

(a) At a minimum, the recommendation must consider:

(1) Any current/proposed use by the Nation;

(2) Current zoning of the requested parcel;

(3) Contracts/liabilities involving the parcel;

(4) The proposed lease duration;

(5) The amount of tillable or usable acres available at the parcel; and

(6) Whether a LANDBAC evaluation has been completed on the parcel and the related findings.

(b) Recommendations to approve the lease request shall be forwarded to the Land Commission and the applicant for deliberation. Recommendations to deny the lease request shall be forwarded to the Division Director for review. If the Division Director agrees with the denial, a denial statement shall be issued to the applicant with notice as to whether the decision may be appealed to the Oneida Land Commission. Only discretionary decisions may be appealed to the Land Commission where a discretionary decision is one in which the requested land:

(1) Has been approved for agricultural use through the LANDBAC process;

(2) Is not subject to any contracts or outstanding liabilities that would interfere with the requested use of the parcel; and

(3) Has not been reserved for a future internal use pursuant to the LANDBAC process that would conflict with the requested use.

2.7. Agricultural Lease Documents and Rates

2.7-1. *Lease Documents*. The lease documents used by Land Management shall be prepared by the Oneida Law Office and approved by the Oneida Land Commission provided that, in addition to the requirements of the Leasing law, all agricultural leases shall include the following requirements:

(a) *Buffers.* In the event there is a waterway on the leased premises, the lessee shall maintain a waterway buffer wherein the setback for all waterway buffers must be a minimum of fifty (50) feet on either side of a defined waterway. Lessee will abide by the established setbacks and will not encroach on posted buffer areas. In the lease, the Nation shall allow the lessee to harvest any grass cut or mowed across buffer area and shall not include the buffer within the tillable acres of the lease.

(b) *Highly Erodible Lands (HEL).* In the event the leased area contains land identified as highly erodible, the lessee shall ensure there is a Conservation Plan that is approved by Natural Resources Conservation Services (NRCS) and noticed to the Nation that substantially reduces soil loss before farming the land. These areas will be identified in the lease.

(c) *Manure*. All agricultural leases shall prohibit manure from being spread on frozen ground, unless part of an approved grazing plan. Lease documents shall further note that the lessee is responsible for any movement of manure offsite and is responsible to clear off

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any affected roadways of mud or manure as needed and include the following requirements related to the spreading of manure:

a. Limits for application of manure will be the following:
    i. No Manure application from Nov. 15 until February 28;
    ii. For liquid manure:
        1. March 1 until April 15 no more than 10,000 gallons per acre;
        2. April 15 until Nov. 15 no more than 12,000 gallons per acre.

b. *Pumping Liquid Manure*. Pumping of liquid manure shall comply with the following:
    i. A pump operator shall be stationed at the pump at all time the pump is in operation in case of the need for immediate shutdown;
    ii. Hoses may not be run across or directly adjacent to waterways, through culverts, or under bridges that have flowing water. Specifically, liquid manure hoses must be maintained outside the fifty-foot (50 ft) buffer for all defined waterways;
    iii. All hoses must be bolted together at all connections; and
    iv. Lines for tanker trucks must be one way only when hauling and staging manure on any town or county road.

c. *Nutrient Management Plan Required*. Spreading of manure must be part of an approved Nutrient Management Plan and only be applied within the limits prescribed in the plan and subsection (a) hereof.

d. *Weather Conditions*. No spreading of manure 24 hours prior to a forecasted rain event that is fifty percent (50%) or more likely to occur.

e. *Notice to Nation Required*. Lessee or designee must give the Nation at least a 48-hours of written notice prior to manure application.

(d) *Nutrient Management Plan*. The agricultural lease shall require all lessees to provide an approved Nutrient Management Plan to the Ag Leasing Specialist and Resource Conservationist annually. The lease shall also encourage Lessees to enroll with the Farm Service Agency (FSA) and/or Natural Resources Conservation Services (NRCS). The Nutrient Management Plan shall require a plan for each field farmed individually, or groups of fields with the same crop and similar rotation. Further, the Nutrient Management Plan shall require the lessee to use seed lubricants designed to reduce the amount of fungicide and insecticide dust released during planting.

(e) *Long-Term Management Plan*. The lease shall incorporate Land Management's Long-Term Management Plan (see LANDBAC) for the applicable parcel and shall require the parties to cooperate to implement the plan and amend it from time to time as needed, with the help of mutually agreeable land use consultants, where appropriate. The lease shall require that both the Nation and the lessee agree in writing to any changes in the Long-Term Management Plan before such changes take effect.

(f) *Implementing Best Practices.* The lessee shall agree to implement, where possible, the best management practices recommended by the Nation and to cooperate with NRCS soil and water conservation programs. The lease shall document any payment negotiations for such improvements. Further, the Leasing Specialist shall ensure the lease includes the Nation's Seven Generation Agricultural Practices explanation and rebate program information.

(g) *Restricted Activities*. The lease shall provide that, unless otherwise agreed to by the

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parties in writing, the following activities may not occur on leased premises and may subject the lessee to a 5-day lease termination in accordance with the Eviction and Termination law:

(1) Erecting permanent structures;
(2) Conversion of pasture acreage to any other purpose;
(3) Crop sharing or subleasing arrangements wherein crop sharing or subleasing means an arrangement between a lessee and third party that allows the third party to farm all or a portion of the leased land for a return of crop or a fee;
(5) Improper use of any restricted use chemical and/or use of any prohibited use chemicals, provided that restricted and prohibited use chemicals shall be defined by the ELA Division with the most current list noticed on the Division's website; and/or
(6) Applying municipal, commercial, or industrial sludge materials to the land.

(h) *Cooperative Farming Agreements.* The Nation fully encourages farmers to engage in cooperative farming. While crop sharing and/or subleasing arrangements are expressly prohibited, cooperative farming agreements can be distinguished from such agreement because under a cooperative farming agreement, the lessee is not releasing any control over the land for a third party's use. Pursuant to a cooperative farming agreement, both farmers must have the skills to self-perform portions of the work on their respective fields and will share the work and/or equipment needed to tend to crop. While payment may be made from a portion of the lessee's harvested crop, there is no shift in control and responsibility for the land from the lessee to a third party.

(i) *Recording Keeping.* The lease shall require the lessee to maintain records of all herbicides, pesticides, insecticide, seed treatments, and nutrients utilized on leased land and shall require to lessee to make said submit such records to the Nation on an annual basis.

(j) *Easements and Other Restrictions*. The lease shall require lessee to comply with terms and conditions of any current and/or future Agricultural Conservation Restrictions or other easements placed on any or all portions of the leased premises, provided that any such restrictions shall not unduly restrict normal agricultural activities.

(k) *Lease Term*. Agricultural lease terms shall not exceed five (5) years.

2.7-2. *Agricultural Lease Rates.* The Oneida Land Commission shall set agricultural lease rates on an annual basis to occur no later than March 1st. Agricultural leases and options to extend shall be executed with lease costs matching the agricultural lease rates in effect at the time of signature of the agreement.

2.8. Seven Generations Rebate Program

2.8-1. *Seven Generations Rebate Program.* The purpose of the Nation's Seven Generations Rebate Program is to incentivize farmers cultivating the Nation's land to implement best practices that provide the best protections for the soil and water, what Oneida calls Seven Generation Agricultural practices. To incentivize use of Seven Generation Agricultural practices, the Nation may provide rebates to agricultural lessees who sign-up to engage Seven Generation Agricultural Practices.

2.8-2. *Incorporating the Rebate Program into the Lease.* The lease application shall include the current list of Seven Generation Agricultural practices eligible for Oneida rebates and the lessee shall indicate which rebates the lessee is pursuing. The application shall further define any required

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verification required to be submitted to receive the rebate and a rebate distribution schedule with pricing information. The Leasing Specialist shall incorporate the selected rebates into the lease document through an exhibit, which shall include current information detailing what the lessee must do, including what submittals and inspections are required, prior to receiving each selected rebate.

2.8-3. *Seven Generations Agricultural Practices.* Are practices that the Oneida people have employed for time immemorial to care for our soil and water health and improve our biodiversity. Specific practices that embody Seven Generation Agricultural practices include the following:

(a) Promoting Oneida's food sovereignty by:
- (1) Growing food for direct community consumption; and/or
- (2) Other approved practices.

(b) Engage a good farming community by enrolling in approved agricultural programs (i.e. FSA, NRCS, NEW Water);

(c) Improve Soil Structure by:
- (1) Planting cover crop (rebate must be for total acreage planted into cover crop);
- (2) Using of livestock to repair soil health (i.e. rotational grazing/chickens);
- (3) Applying liquid manure through low disturbance injection if there is no surface application and no tillage pre and post LDMI. Resource Conservationist or their designee must verify after manure application;
- (4) Planting into residue from thirty percent (30%) to fully green following crop harvest or spring termination where the Resource Conservationist or their designee must measure residue and verify in spring after planting;
- (5) Interseeding into a crop if seed mix and planting time prior to seeding is approved by the Resource Conservationist or their designee; and/or
- (6) Other approved practices.

(d) Increase Diversity of organisms within the soil biome by:
- (1) Planting food for human consumption with no GMO on 10% or more of the leased land;
- (2) Planting cover crop with a diverse seed mixture; and/or
- (3) Other approved practices.

(e) Benefit water quality by reducing runoff by:
- (1) Planting alfalfa with grass or adding alfalfa to grass where the Resource Conservationist or their designee must measure crop establishment after planting; and/or
- (2) Other approved practices.

(f) Prepare the next generation of farmers by:
- (1) Hiring youth workers;
- (2) Mentoring farmers within the community; and/or
- (3) Other approved practices.

(g) Advocate for and teach Seven Generation Agricultural Practices by teaching approved courses through approved agricultural programs and/or other approved activities.

2.9. Conservation Plans and Other Required Submittals

2.9-1. All lessees shall submit Conservation Plan or Management Nutrient Plan prepared by a certified agronomist on an annual basis which shall includes a map of all tillable acres and all chemical inputs planned for the acreage. The EHL Division shall ensure all required submittals are

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complete. A failure to complete a submittal amounts to a lease violation and may be treated as such in accordance with the Eviction and Termination law.

2.10. Agricultural Lease Transfer or Assignment

2.10-1. *Transfer and Assignment*. Any documents used to transfer or assigned the lease shall be approved by Land Management and the Oneida Law Office in advance of execution. Sub-leasing, transfer or assignment of any agricultural lease must be approved by the Oneida Land Commission.

(a) Transfer must be voluntary, approved in writing by all parties, or court ordered by a court of competent jurisdiction;

(b) If the agricultural lease is transferred by sublease, the original lessee shall at all times remain responsible for ensuring compliance with the terms of the agricultural lease and any and all enforcement actions taken by Land Management and/or the Nation shall be taken against the original lessee. Any dispute as to who is responsible for the non-compliance constitutes a private dispute between the sublease parties and shall exclude Land Management and the Nation as a party to the dispute.

2.11. Agricultural Leasing Actions

2.11-1. The Oneida Judiciary is granted jurisdiction to hear legal complaints filed regarding actions taken pursuant to this rule.

2.11-2. No administrative hearing body, including a board, committee, or commission, is authorized to hear a complaint regarding actions taken pursuant to this rule.

Original effective date: ASAP

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Title 6. Property and Land – Chapter 602

LEASING LAW

Rule # 2 – Agricultural Leasing

~~2.1. Purpose and Policy~~
~~2.2. Adoption and Authority~~
~~2.3. Definitions~~
~~2.4. Approving and Advertising the Agricultural Leasing Catalog~~
~~2.5. Application and Selection~~
~~2.6. Tribal Member Requests for Agricultural Land Not Published in the Catalog~~
~~2.7. Ag Lease Documents and Rates~~
~~2.8. Best Practices Rebate Program~~
~~2.9 Conservation Plans and Other Required Submittals~~
~~2.9 Ag Lease Transfer or Assignment~~
~~2.10 Ag Leasing Actions~~

2.1 Purpose and Authority
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2.1. Purpose and Policy

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2.2-5. This rule supersedes all prior rules, regulations, internal policies or other requirements

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relating to the Leasing Law. The Oneida Nation does not recognize the authority of the Outagamie County Drainage Board.

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2.3-1. This section governs the definitions of words and phrases used within this rule. All words not defined herein are to be used in their ordinary and everyday sense.

(a) *Manure* means an organic matter derived from the solid animal wastes, used to improve the soil quality and increase the yield of healthy crops. It includes bed pack manure, raw or green manure, or liquid manure. For the purposes of this rule, bed pack manure shall be treated the same as raw or green manure.

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~~(c)~~(d) ~~*Crop-share or Share-cropping*~~*Subleasing* means an arrangement between ~~a~~the lessee and another party that allows the other party to farm or use the land for ~~either~~ a fee or ~~return~~a waiver of ~~crop.~~a fee. This also includes an arrangement that trades services in exchange for use of the land.

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~~(e) *Seven Generation Agriculture* means practices that:~~

~~(1) Improves soil structure, reduce erosion, and increase organic matter utilizing a continuous cover and conservation farming methods~~

~~(2) Increases diversity of organisms within the soil biome by eliminating pesticide use and manage the land for soil health~~

~~(3) Benefits water quality with proper nutrient management, eliminating pesticide use, and decreasing run off and erosion.~~

2.4. Approving and Advertising the Agricultural Leasing Catalog

2.4-1. *Assessing Available Lands*. At least once annually, Land Management shall prepare a list of lands available for agricultural leasing and shall present to the Land Commission for approval to add to the agricultural leasing catalog for advertising. In addition, Land Management may assess land as it becomes available, either through acquisition or lease expirations, and present to the Land Commission for approval to add to the agricultural leasing catalog for advertising.

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(b) In the event multiple internal parties seek internal assignments for the same parcel, the General Manager shall determine which internal entity shall receive the parcel pursuant to an internal building and land assignment.

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(2) *Online.* Land Management shall advertise all land available for agricultural leasing on the social media accounts of the Nation and Land Management and the Land Management website to the extent such accounts exist, for a minimum of 30 days prior to accepting bids.

(b) *Notice Contents.* Each notice shall include, at a minimum, the following information:

(1) The address/location of each leased site;
(2) How many grazing and/or tillable acres are available on each leased site;
(3) Whether the leased sites include any waterways or highly erodible lands;
(4) The date bids will be accepted;
(5) Instructions for submitting bids or a link to the instructions if available online;
(6) The bid opening and selection dates; and
(7) The point of contact at Land Management for additional information.

2.5. Application and Selection.

2.5-1. *Application.* To submit a bid for an agricultural lease, applicants shall submit their sealed bid, to Land Management located at 470 Airport Drive, Oneida, WI 54155, before close of business on the final date for bid acceptance. When submitting the bid, applicants shall include a complete application, as made available on Land Management's website and at the Land Management Office, along with any required supporting documents. Bids submitted with incomplete applications or without required supporting documents will not be considered by Land Management.

(a) *Supporting Documents*. At a minimum, the agricultural application shall require submittal of the following documents:

(1) *Best Practices Rebate Enlistment*. On the application form, the applicant selects which additional best agricultural practices the applicant is willing to

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perform if awarded the lease and for which the Nation will issue a rebate in accordance with section 2.8 below.

(2) *Experience and Capacity Testament.* The applicant must include a signed statement that includes their years of farming experience, including explanation of any Seven Generation Agriculture knowledge the applicant has. The applicant must demonstrate that the applicant has the facility, access to equipment and capacity to ~~self~~ perform the farming activities on the requested leased site.

2.5-2. *Selection*. In the event multiple bids are received for the same parcel, Land Management shall perform a lottery of the eligible applicants to select the winning applicant.

(a) *Absolute Tribal Member Preference.* When selecting bidders to award an agricultural lease following the advertising and bid process, Land Management shall apply an absolute Tribal member preference. In practice, that means that any time a tribal member applies for a lease and meets the minimum application and eligibility requirements, the tribal member will be awarded the lease regardless of anything in other applications that might make them more competitive. If multiple tribal members are eligible and submit complete applications, then Land Management shall perform a lottery of only the eligible tribal member applicants to select the winning applicant**.**

2.6. Tribal Member Requests for ~~Agricultural~~ Land Not Published ~~in the Catalog~~

2.6-1. A Tribal member may bring forth requests ~~for~~to lease for agricultural purposes specific parcels not currently published in the agricultural catalog, for example, a vacant parcel of land near their residence.

2.6-2. Upon receipt of any request from a tribal member for a lease of land not advertised as part of the Nation's agricultural leasing catalog, the leasing specialist shall prepare a recommendation for Land Commission's consideration.

(a) At a minimum, the recommendation must consider:

(1) Any current/proposed use by the Nation;

(2) Current zoning of the requested parcel;

(3) Contracts/liabilities involving the parcel;

(4) The proposed lease duration;

(5) The amount of tillable or usable acres available at the parcel; and

(6) Whether a LANDBAC evaluation has been completed on the parcel and the related findings.

(b) Recommendations to approve the lease request shall be forwarded to the Land Commission and the applicant for deliberation. Recommendations to deny the lease request shall be forwarded to the Division Director for review. If the Division Director agrees with the denial, a denial statement shall be issued to the applicant with notice as to whether the decision may be appealed to the Oneida Land Commission. Only discretionary decisions may be appealed to the Land Commission where a discretionary decision is one in which the requested land:

(1) Has been approved for agricultural use through the LANDBAC process;

(2) Is not subject to any contracts or outstanding liabilities that would interfere with the requested use of the parcel; and

(3) Has not been reserved for a future internal use pursuant to the LANDBAC process that would conflict with the requested use.

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2.7. Agricultural Lease Documents and Rates

2.7-1. *Lease Documents*. The lease documents used by Land Management shall be prepared by the Oneida Law Office and approved by the Oneida Land Commission provided that, in addition to the requirements of the Leasing law, all agricultural leases shall include the following requirements:

(a) *Buffers.* In the event there is a waterway on the leased premises, the lessee shall maintain a waterway buffer wherein the setback for all waterway buffers must be a minimum of fifty (50) feet on either side of a defined waterway. Lessee will abide by the established setbacks and will not encroach on posted buffer areas. In the lease, the Nation shall allow the lessee to harvest any grass cut or mowed across buffer area and shall not include the buffer within the tillable acres of the lease.

(b) *Highly Erodible Lands (HEL).* In the event the leased area contains land identified as highly erodible, the lessee shall ensure there is a Conservation Plan that is approved by Natural Resources Conservation Services (NRCS) and noticed to the Nation that substantially reduces soil loss before farming the land. These areas will be identified in the lease.

(c) ~~(c)~~ *Manure*. All agricultural leases shall prohibit ~~raw or liquid~~ manure from being spread on frozen ground~~. Further,~~, unless part of an approved grazing plan. Lease documents shall further note that the lessee is responsible for any movement of manure offsite and is responsible to clear off any affected roadways of mud or manure as needed and include the following requirements related to the spreading of manure:

a. Limits for application of manure will be the following:

i. No Manure application from Nov. 15 until February 28;

ii. For liquid manure:

1. March 1 until April 15 no more than 10,000 gallons per acre;

2. April 15 until Nov. 15 no more than 12,000 gallons per acre.

b. *Pumping Liquid Manure*. Pumping of liquid manure ~~hoses~~ shall comply with the following:

i. A pump operator shall be stationed at the pump at all times the pump is in operation in case of the need for immediate shutdown;

~~i.~~ii. Hoses may not be run across or directly adjacent to waterways, through culverts, or under bridges ~~on land owned by the Nation. Any~~that have flowing water. Specifically, liquid manure hoses must be maintained outside the fifty-foot (50 ft) buffer for all defined waterways ~~and fifty (50) feet from any roadway or ditch. Spreading of manure must be part of an approved Nutrient Management Plan and only be applied to recommended levels. Lessee must give the Nation at least a 48-hour notice prior to manure application.~~;

iii. All hoses must be bolted together at all connections; and

iv. Lines for tanker trucks must be one way only when hauling and staging manure on any town or county road.

c. *Nutrient Management Plan Required*. Spreading of manure must be part of an approved Nutrient Management Plan and only be applied within the limits prescribed in the plan and subsection (a) hereof.

d. *Weather Conditions*. No spreading of manure 24 hours prior to a forecasted rain event that is fifty percent (50%) or more likely to occur.

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e. *Notice to Nation Required*. Lessee or designee must give the Nation at least a 48-hours of written notice prior to manure application.

(d) *Nutrient Management Plan*. The agricultural lease shall require all lessees to provide an approved Nutrient Management Plan to the Ag Leasing Specialist and Resource Conservationist annually. The lease shall also encourage Lessees to enroll with the Farm Service Agency (FSA) and/or Natural Resources Conservation Services (NRCS). The Nutrient Management Plan shall require a plan for each field farmed individually, or groups of fields with the same crop and similar rotation. Further, the Nutrient Management Plan shall require the lessee to use seed lubricants designed to reduce the amount of fungicide and insecticide dust released during planting.

(e) ~~*Land*~~*Long-Term Management Plan*. The lease shall incorporate ~~the~~Land Management's Long-Term Management Plan (see LANDBAC) for the applicable parcel and shall require the parties to cooperate to implement the plan and amend it from time to time as needed, with the help of mutually agreeable land use consultants, where appropriate. The lease shall require that both the Nation and the lessee agree in writing to any changes in the Long-Term Management Plan before such changes take effect.

(f) *Implementing Best Practices.* ~~The lease shall require the lessee to farm the premises utilizing Seven Generation Agriculture practices. The lease shall require the lessee to make agricultural improvements to the leased land as deemed necessary for soil health and drainage.~~ The lessee shall agree to implement, where possible, the best management practices recommended by the Nation and to cooperate with NRCS soil and water conservation programs. ~~The lease shall require the lessee to use seed lubricants designed to reduce the amount of fungicide and insecticide dust released during planting. Further, the lease shall~~ The lease shall document any payment negotiations for such improvements. Further, the Leasing Specialist shall ensure the lease includes the Nation's Seven Generation Agricultural Practices explanation and rebate program information.

(g) *Restricted Activities*. The lease shall provide that, unless otherwise agreed to by the parties in writing, the following activities may not occur on leased premises and may subject the lessee to a 5-day lease termination in accordance with the Eviction and Termination law:

(1) Erecting permanent structures;

(2) ~~Plowing up~~Conversion of pasture~~;~~ acreage to any other purpose;

(3) Crop sharing or ~~share-cropping arrangements~~subleasing arrangements wherein crop sharing or subleasing means an arrangement between a lessee and third party that allows the third party to farm all or a portion of the leased land for a return of crop or a fee;

~~(4) Sub-leasing arrangements;~~

(5) ~~Using~~Improper use of any restricted use chemical ~~applications~~and/or use of any prohibited use chemicals, provided that restricted and prohibited use chemicals shall be defined by the ELA Division with the most current list noticed on the Division's website; and/or

(6) Applying municipal, commercial, or industrial sludge ~~material~~materials to the land.

~~(h~~(h) *Cooperative Farming Agreements.* The Nation fully encourages farmers to engage in cooperative farming. While crop sharing and/or subleasing arrangements are expressly prohibited, cooperative farming agreements can be distinguished from such agreement

because under a cooperative farming agreement, the lessee is not releasing any control over the land for a third party's use. Pursuant to a cooperative farming agreement, both farmers must have the skills to self-perform portions of the work on their respective fields and will share the work and/or equipment needed to tend to crop. While payment may be made from a portion of the lessee's harvested crop, there is no shift in control and responsibility for the land from the lessee to a third party.

(i) *Recording Keeping.* The lease shall require the lessee to maintain records of all herbicides, pesticides, insecticide, seed treatments, and nutrients utilized on leased land and shall require to lessee to make said submit such records to the Nation on an annual basis.

(~~i~~j) *Easements and Other Restrictions*. The lease shall require lessee to comply with terms and conditions of any current and/or future Agricultural Conservation Restrictions or other easements placed on any or all portions of the leased premises, provided that any such restrictions shall not unduly restrict normal agricultural activities.

(~~j~~k) *Lease Term*. Agricultural lease terms shall not exceed five (5) years.

2.7-2. *Agricultural Lease Rates.* The Oneida Land Commission shall set agricultural lease rates on an annual basis to occur no later than March 1st. Agricultural leases and options to extend shall be executed with lease costs matching the agricultural lease rates in effect at the time of signature of the agreement.

2.8. ~~Best Practices~~Seven Generations Rebate Program

2.8-1. *~~Best Practices~~Seven Generations Rebate Program.* The purpose of the Nation's ~~Best Practices~~Seven Generations Rebate Program is to incentivize farmers cultivating the Nation's land to implement best practices that provide the best protections for the soil and water~~.~~, what Oneida calls Seven Generation Agricultural practices. To incentivize use of Seven Generation ~~Agriculture~~Agricultural practices, the Nation ~~shall~~may provide rebates to agricultural lessees who sign-up to ~~perform agricultural best practices~~engage Seven Generation Agricultural Practices.

2.8-2. *Incorporating the Rebate Program into the Lease.* The lease application shall include the current list of ~~best~~Seven Generation Agricultural practices eligible for Oneida rebates ~~along with the amount of the rebates~~ and the lessee shall indicate which rebates the lessee is pursuing. The application shall further define any required verification required to be submitted to receive the rebate and a rebate distribution schedule with pricing information. The Leasing Specialist shall incorporate the selected rebates into the lease document through an exhibit, which shall include current information detailing what the lessee must do, including what submittals and inspections are required, prior to receiving each selected rebate.

~~2.8-3. *Best Practices Eligible for Rebates.*~~

2.8-3. *Seven Generations Agricultural Practices.* Are practices that the Oneida people have employed for time immemorial to care for our soil and water health and improve our biodiversity. Specific practices that embody Seven Generation Agricultural practices include the following:

(a) ~~Enrolling~~Promoting Oneida's food sovereignty by:

(1) Growing food for direct community consumption; and/or

(2) Other approved practices.

(b) Engage a good farming community by enrolling in approved agricultural programs (i.e. FSA, NRCS, NEW Water);

~~(b)~~ (c) Improve Soil Structure by:

(1) Planting ~~Cover~~cover crop ~~where the~~ (rebate ~~is~~must be for ~~the~~ total acreage

planted into cover crop~~;~~);

~~(1) Cover crop seed mix must include 3 or more seed species with at least one overwintering species and be approved by Resource Conservationist or their designee and they must measure cover crop establishment after planting.~~

~~(c) Planting food for human consumption with no GMO on 10% or more of the leased land;~~

~~(d)~~ (2) Using of livestock to repair soil health (i.e. rotational grazing/chickens);

~~(e) Interseeding into a crop if seed mix and planting time prior to seeding is approved by the Resource Conservationist or their designee.~~

~~(f~~(3) Applying liquid manure through low disturbance injection if there is no surface application and no tillage pre and post LDMI. Resource Conservationist or their designee must verify after manure application~~.~~;

~~(g) Planting alfalfa with grass, or adding alfalfa to grass where the Resource Conservationist or their designee must measure crop establishment after planting.~~

~~(h~~(4) Planting into residue from thirty percent (30%) to fully green following crop harvest or spring termination where the Resource Conservationist or their designee must measure residue and verify in spring after planting~~.~~;

(5) Interseeding into a crop if seed mix and planting time prior to seeding is approved by the Resource Conservationist or their designee; and/or

(6) Other approved practices.

(d) Increase Diversity of organisms within the soil biome by:

(1) Planting food for human consumption with no GMO on 10% or more of the leased land;

(2) Planting cover crop with a diverse seed mixture; and/or

(3) Other approved practices.

(e) Benefit water quality by reducing runoff by:

(1) Planting alfalfa with grass or adding alfalfa to grass where the Resource Conservationist or their designee must measure crop establishment after planting; and/or

(2) Other approved practices.

(f) Prepare the next generation of farmers by:

(1) Hiring youth workers;

(2) Mentoring farmers within the community; and/or

(3) Other approved practices.

(g) Advocate for and teach Seven Generation Agricultural Practices by teaching approved courses through approved agricultural programs and/or other approved activities.

2.9. Conservation Plans and Other Required Submittals~~.~~

2.9-1. All lessees shall submit Conservation Plan or Management Nutrient Plan prepared by a certified agronomist on an annual basis which shall includes a map of all tillable acres and all chemical inputs planned for the acreage. The EHL Division shall ensure all required submittals are complete. A failure to complete a submittal ~~amount~~amounts to a lease violation and may be treated as such in accordance with the Eviction and Termination law.

2.10. Agricultural Lease Transfer or Assignment~~.~~

2.10-1. *Transfer and Assignment*. Any documents used to transfer or assigned the lease shall be approved by Land Management and the Oneida Law Office in advance of execution. Sub-leasing,

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transfer or assignment of any agricultural lease must be approved by the Oneida Land Commission.

(a) Transfer must be voluntary, approved in writing by all parties, or court ordered by a court of competent jurisdiction;

(b) If the agricultural lease is transferred by sublease, the original lessee shall at all times remain responsible for ensuring compliance with the terms of the agricultural lease and any and all enforcement actions taken by Land Management and/or the Nation shall be taken against the original lessee. Any dispute as to who is responsible for the non-compliance constitutes a private dispute between the sublease parties and shall exclude Land Management and the Nation as a party to the dispute.

2.11. Agricultural Leasing Actions

2.11-1. The Oneida Judiciary is granted jurisdiction to hear legal complaints filed regarding actions taken pursuant to this rule.

2.11-2. No administrative hearing body, including a board, committee, or commission, is authorized to hear a complaint regarding actions taken pursuant to this rule.

Original effective date: ASAP

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~~**Exhibit A**~~

~~***Land Management Plan***. The Nation shall develop a Land Management Plan, attached as Exhibit A, for each leased parcel which will address the natural characteristics of the land, outline pertinent ecological principles, and set out environmentally responsible farming practices that the lessee must implement throughout the Premises to be incorporated into the applicable lease documents.~~

~~Plan to include the following property address, detailed description of the natural characteristics of the land noting any areas of caution for; wetlands, highly erodible soils, proximity to waterways, etc. Note and outline pertinent ecological principles that need to be part~~

~~of any lease. Plan needs to set out environmentally responsible farming practices that the lessee must implement throughout the property to be incorporated into the applicable lease documents.~~

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PUBLIC MEETING NOTICE

Tue., Oct. 7 • 3pm • Conference Room H, Skenandoah Complex

In accordance with the Administrative Rulemaking Law, the Digital Technology Services Department is hosting this Public Meeting to gather feedback from the community regarding THE FOLLOWING PROPOSED RULES to the Technology Resources Law

- 001–Acceptable Use
- 002–Clear Desk
- 003–Asset Management
- 004–Security Awareness
- 005 – Password Management
- 006 – Incident Response
- 007–Vendor Remote Access
- 008–Third Party Provider
- 009–Generative AI Usage

This is a proposal to adopt rules which would:

- Establish clear standards for responsible and secure use of digital technology.
- Promote data protection and reduce the risk of unauthorized access or data breaches.
- Ensure proper tracking and disposal of IT assets.
- Require ongoing security awareness training for employees.
- Define procedures for identifying, reporting, and responding to cybersecurity incidents.
- Regulate secure access and evaluate risk for vendors and third-party providers.
- Govern the ethical and secure use of generative AI technologies.

Who would be affected:

- Employees and Contractors
- Vendors and Third-Party Providers

PUBLIC COMMENT PERIOD OPEN UNTIL TUESDAY, OCTOBER 14, 2025

DTS Digital Security
909 Packerland • Green Bay, WI 54303
infosec@oneidanation.org • 920.869.4357

During the public comment period, all interested persons may submit written comments and/or a transcript of any testimony/spoken comments made during the Public Meeting. These may be submitted to the Digital Technology Services Department.

PUBLIC MEETING NOTICE

Wed., Sep. 10, 2025 • 9:30am–Noon

Eagle Room – Employee Services • 1940 W. Mason St. • Green Bay, WI 54304

In accordance with the Administrative Rulemaking Law, Land Management and the Oneida Land Commission is hosting this Public Meeting to gather feedback from the community regarding the following rule.

TOPIC: AGRICULTURAL RULE – This is a proposal to revise a rule by:

- Replacing the current Chapter 602 Rule No. 2 format to expand on the information provided in the Leasing Law regarding requirements for leasing land for agricultural purposes;
- Updating agricultural leasing requirements will help to improve future soil health, enhance the environment to protect the air, soil, and water and encourage the best regenerative agricultural practices available:
- Providing processes for Tribal members and Tribal Departments to access the Nations land for Agricultural purposes;

To obtain copies of the Public Meeting documents for this proposal, visit
www.oneida-nsn.gov/Register/PublicMeetings

PUBLIC COMMENT PERIOD OPEN UNTIL WED., SEP. 17, 2025

During the Public Comment Period, all interested persons may submit written comments and/or a transcript of any testimony/spoken comments made during the Public Meeting. These may be submitted to Oneida Land Management by U.S. Mail, interoffice mail, e-mail, or fax.

Oneida Land Management • PO Box 365, Oneida WI 54155
shunting@oneidanation.org • 920.869.6610

Environmental, Land & Agriculture Division

ONEIDA

A good mind. A good heart. A strong fire.

Public Meeting Sign-in Sheet
September 10, 2025, 9:30 am - Noon
Eagle Room – Employee Services Building
1940 West Mason Street, Green Bay, WI 54304

Agricultural Rule

	Typed Name	Signature	Phone Number and/or E-mail
1	Jason Angotti	Jason Ang	(920) 858-2530
2	DANIEL ANGOTTI	Daniel R Angotti	920-3784154
3	Darlene Angotti	Darlene Angotti	920 3784155
4	Matt Lewis	[illegible]	920-264-8177
5	David Lewis	David Lewis	920-660-0650
6	Karen + Pat Vanlanen	Karen VanLanen	920-655-8594
7	Mike Van Asten	Mike Van Asten	920 585-2482
8	Adam Van Asten	Adam Van A	920-428-7832
9	Matt VanUlyeken	[illegible]	920 621 1570
10	Joe Van Asten	Joe Van Asten	920-428-7836
11	DWAYNE SCHNEEKloth	Dwayne Schneekloth	" 428-2960
12	Paul Van Gheem	Paul VanGheem	920 427 3122
13	Alex Krepline	[illegible]	920-570-~~1476~~ 1462
14	Jeff Smudde	Jeff R Smudde	920-851-1087
15	Raymond Diederich	Raymond Diederich	920 360 5178

Public Meeting Sign-in Sheet
September 10, 2025, 9:30 am - Noon
Eagle Room – Employee Services Building
1940 West Mason Street, Green Bay, WI 54304
Agricultural Rule – Page 3

	Typed Name	Signature	Phone Number and/or E-mail
34	Jeremy Freund		920 574 6965
35	Joshua Verbeten	Joshua Verbeten	(920) 373-9322
36	Nikki Raimer		(920) 915-6548
37	Isaiah Steinwedel		920-676-2692
38	Erik Schrumberg		920-660-5250
39	Don Micke	Don Micke	920-659-2253
40	Tonya Laurent		920-256-0262
41	Siebrand Miedema		920-362 8850
42	Doug Hinz		920 2420643
43	Nathan Nysse		920-858-5756
44	Patrick Crandlees	-Same-	920-715-6486
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Agricultural Rule Public Meeting Transcription and Comment Response Memorandum

Public Meeting held:

Eagle Room-Employees Service Building
1940 West Mason Street, Green Bay, WI 54304
September 10, 2025 @ 9:30 PM

Throughout this document, all text in **black** is the public meeting transcript and all text in **green** is the Land Management response to the public meeting comments.

NICOLE ROMMEL (TIME)

You're being recorded. So, I'm going to read through the public meeting notice that was sent to everybody and put in the Kalihwisaks.

This is notice of the public meeting to be held September 10th, 2025, from 9:30 to noon in the Eagle Room of the Employee Services Building at 1940 W Mason St. Green Bay, WI 54304. In accordance with the administrative rulemaking law, Land Management and the Oneida Land Commission is hosting this public meeting to gather feedback from the community regarding the following rule, which is the agricultural rule.

This is a proposal to revise a rule by replacing the current chapter 602 rule number two format to expand on the information provided in the leasing law regarding requirements for leasing land for agricultural purposes.

It will also update the agricultural leasing requirements to help improve future soil health, enhance the environment, protect the air, soil, water, and encourage the best regenerative agricultural practices available, and providing the processes for tribal members and tribal departments to access the nation's land for agricultural purposes. To obtain copies of the public meeting documents for this proposal, please visit the Oneida Nation website, which is www.oneida-nsn.gov back slash register back slash public meetings. So all of the once this is approved it will be on the website, but the information for this meeting is on the website so feel free to go there and it's what was mailed to everybody so that's what's up there.

The public comment period is open until September 17th, 2025. During the public comment period, all interested persons may submit written comments and/or a transcript of any testimony spoken comments made during the public meeting, which is today, these may be submitted to Land Management by mail interoffice, e-mail or fax, and then the mailing address for Land Management is P.O. Box 365, Oneida, Wisconsin 54155.
Sheila's e-mail address is who you e-mail anything to, and that's SHUNTING at Oneida nation.org. And then her her phone number is 920-869-6610.

All right, so there's the information on how we all got here today. Like I said, this meeting is being recorded. Make sure you sign in the sign in sheet in the back. Please print and sign and then put your e-mail address and phone number so we can reach you if we have any questions on what you state here today, that's the biggest reason for that information.

Just feel free to get up and leave. You know, you're not stuck here until we are done or anything. The bathrooms are you go out take a right and then go all the way down if you need to take a break.
As Sheila said earlier, I am Nicole Rommel, Deputy Director of Land Management and Conservation. Sheila Huntington, Leasing Specialist. She introduced herself and I don't see Eric yet, but Eric McLester was on his way. He's the director of the division and I don't see Krystal. OK, I wasn't sure she would be on the meeting or not, which is fine. OK, so the process for today.
And the process of how process, process, how this all works. So there has been one public meeting already. Substantial changes were made, so we felt that we should have a second public meeting. In addition, many of you did not get the notice, so we wanted to make sure everybody had their input and was involved in this process. So that's why we scheduled another one and mailed everything out to everyone so we can have as many here as possible. So today when you'll make comments on the rule on the draft this is not a guarantee that the comments you make will go forward and be changes in the rule. We team gets together after the meeting, we go through the transcripts, we watch the video and we determine whether we're going to make changes. If there are changes made and they are substantial and change the meaning or the process of the rule, we will have another public hearing to go over those changes that were made like we're doing today.

If they're small changes and don't necessarily change, like if it's capitalized something wrong or it's just dated something wrong, clerical errors, there will not be a third public meeting. Once any changes are finalized by the team from this meeting, the draft goes to the Land Commission for their approval. If we decide not to have another public hearing, then the draft goes to our legislative operating committee and they make sure it follows all the rest of the tribal laws and they do their legal stuff and then it goes to the Oneida Business Committee and that's the final adoption of the rule.

That could take a few months depending on when they get on their meetings and things during this, during that time, the team will be creating standard operating procedures to go along with the rules because there are some instances where we need a little bit more explanation of how things are going to work, especially with that seven generation discount process.

So what's going to happen today? I'm going to just go around the room, call on everybody. I'll probably start up the front to the left here and each person will get 3 minutes. I will be timing you speak your name and comment clearly because like I said, this is what we use to make changes so we want to make sure we're getting what you say correct. There is some

construction out here. You may have to speak because I feel like I'm yelling so you may have to speak loudly. It's not a question and answer type meeting if you have questions on the rule or what something means in the rule before you make your comment then we can answer that, but that is also part of the three minutes.

So, let's see if we have questions on your comment after, like I said, that's why we need your information. We will contact you to make sure we get what you're saying correctly.

If there is time, which there may be, we can go around again and do another 3 minutes for everybody who wants to maybe say something else. Written comments can be mailed or emailed, which is on the flyer. And that's all I have for now. Are there any questions on how the meeting is going to be run or anything of that nature.

ISAIAH SKENANDORE (TIME)

Can you send in written comments beyond your 3 minutes?

NICOLE ROMMEL (TIME)

Yeah, yeah, yeah, yeah, definitely. You can send 10 pages if you want. Yeah, written comments can be as long as you want. So, all right, that's all I have. So, if nobody has anything else, we can get started. Like I said, we don't take any notes or anything. It's all in the transcript. It's all on the video so make sure you state what you want to state and oh, and did I say say your name too real loudly and clearly before you make your comment, state your name because we don't know everybody.

UNKNOWN (TIME)

So is the transcript will be available?

NICOLE ROMMEL (TIME)

I think so, I believe, so if we do make changes, we go through the transcript. Yeah, OK, I'm trying to think of how this process works so I believe we actually have to go through the transcript and make a note next to everybody's comment of what we did with that, whether we said no, we're not going to make this change or yes, we're going to make this change. So I believe that that's available once that's done.
All right. Well, since really, we're going to start over there. So you want to go ahead and start? Sure. Oh, you don't mind.

ISAIAH SKENANDORE (TIME)

We'll get the 10 minutes right. Yeah. My name is Isaiah Skenandore; I'm a tribal farmer and I just had a few comments to add. The one thing reviewing it, it says with the absolute tribal member preference lottery, the field tribal member farmer lease rates should be the same as the internal entities with additional rebates based on the seven generation agricultural practices implemented. In section 2.5-2, it states that there'll be a lottery of only eligible tribal members. Tribal farmers who apply to lease the same parcel should be awarded via lottery,

not have to bid against each other. Tribal farmers' leases should be automatically renewed without the bidding process, if they are in good standing with land management and land management should offer the tribal farmers to renew in one year remaining on the lease similar to the previous rules. I do agree with other leases going through the bidding process at five years as there is potential growth with tribal farmers. I'd like to see it included. In the rule of beneficiary successor process in the lease that if the lease leaser were to or lessee were to die, the lease would automatically be transferred to the beneficiary or successor for the remaining term of the lease. I would like to see a tribal member homestead lease tribal members leasing land that they put infrastructure on, raise animals, plant long term crops such as orchards and berries, and etc. should be able to apply for a longer term than five years. I suggest the 15-year term potential renewal as stated above and then I would also like to see a definition included of tribal farmers and I would like that to be enrolled on tribal members and descendants.

Isaiah Skenandore Written Comments: With the Absolute Tribal Member Preference and lottery; Tribal Farmers lease rates should be the same as the Oneida Nation Farm with additional rebates based on the Seven Generation Agricultural Practices implemented. Section 2.5-2 states there will be a lottery of only eligible tribal members. Tribal Farmers who apply to lease the same parcel should be awarded via a lottery and not have to bid against each other. Tribal Farmers leases should be automatically renewed without the bidding process if they are in good standing with Land Management. Land management should offer the Tribal Farmer to Renew at one year remaining on their lease. All other leases should go through the bidding process after 5 years to allow potential growth of Tribal Farmers and Tribal Internal Entities. Include a beneficiary/successor in the lease that if the lessee were to die the lease would automatically be transferred to the beneficiary/successor for the remaining term of the lease. Tribal Member Homestead lease: Tribal members leasing land they put infrastructure on, raise animals on, plant long term crops such as orchards and berries, etc. can apply for a long term lease of 15 years with renewal as stated above. Define Tribal Farmers as Enrolled Oneida Nation Tribal Members and Descendants.

Land Management Response

Agricultural Lease Rates are not tied to this rule and go through a different process for approval from the Land Commission. 2.7.2 in the rule states that Land Commission approves lease rates annually.

In relation to the comments regarding bidding, that is correct, the revised process no longer includes competitive bidding. The only bids submitted would be the equivalent to an application to demonstrate interest in a parcel.

Regarding the comments about lease renewal, until the Nation can ensure that each Tribal member who desires agricultural land to farm has access to it, it is Land Management's position that leases should be re-offered to all tribal members upon

expiration with terms limited to a maximum of 10 years (which includes one 5 year term and one renewal term for an additional 5 years), as stated in 2.7-1(j).

Additionally, Land Management would not agree to making agricultural leases inheritable or modifying this rule at this time to allow for combination residential/agricultural lease. That is a separate process that would need to be worked out separately between Land Management, CHD, and the Land Commission. As it stands, tribal members are able to lease up to three (3) acres for a residential lease which would allow for agricultural use in combination with the residential use.

Finally, the only new comment submitted in writing was consideration to expand the definition of tribal member to include descendants; Land Management will not consider extension of the definition at this time.

NICOLE ROMMEL (TIMES)

Thank you. All right, we'll just move right along to the back to the table. OK.

DARLENE ANGOTTI (TIMES)

This is Darlene Angotti. I'm with my husband Dan and my son Jason. We've farmed for over 50 years, 60 years. We rent a piece of land from the Oneida's, at this time we have one year left on our lease after this year and because we are planning our next crop rotation, I'm wondering if there would be any opportunity for longer than one year lease because we need to incorporate crop rotation into our planning for each year, farming year. The other question I had was regarding the section on record keeping in this draft. It doesn't really state when that has to be submitted on an annual basis. Is it the beginning of the farming year or is it at the end of the farming year? I'd like a little more clarification on that section, and the other section is on conservation plans and other required submittals. There is also not a time frame as to when those have to be submitted. So, I'd like a little further clarification as to when that is needed and when that should be submitted and that's all I have. Thank you.

Land Management Response

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NICOLE ROMMEL (TIMES)

Great. Thank you. I don't want to jinx it, so I'm not going to say anything about the time. OK, next person in the row there.

PAUL VANGHEEM (TIMES)

My name is Paul Van Gheem. I've been renting from the tribe for a lot of years on land that we had sold to the tribe and I was hoping we could continue on renting it. We feel like we've always done a good job and we're proactive in your conservation practices. We do the cover crop. We have cover crops on almost 100% of it. We're actually doing an experimental thing, where we planted corn and then in June we came in and planted some interplanted some cover crops, so that when this corn is harvested now, there'll be a cover crop there ready to take off and grow and we did that and then you know like I said, we've always done the cover crops, no till almost 100% of our land is no till. We do put manure on when we do, we use the low disturbance manure applications and I see there's some new rules for the manure applications in regard to crossing roads and stuff, that's those are fine. We can certainly along with those. One thing we do with the with the buffer strips, we generally harvest them after the nesting season is over. We go out and harvest them so, keeping those harvested off so we're reclaiming the nutrients from those and I think that helps with clean water. So, I just wanted to say we, you know, it kind of caught us off guard with this letter that we got, but we're just hoping that we could continue renting that parcel or the parcels that we rent right now and that's really all I have to say.

Paul Vangheem Written Comments: Oneida Land Management, My name is Paul VanGheem, I have been renting the farmland that I had sold to the tribe for the last 18 years. I am hoping to continue renting for the foreseeable future. I just wanted to say that by the way we farm, we are very good stewards of the farmland, soil and water. We use no-till and cover crops extensively. It can be difficult to establish cover crops following corn harvest, because sometimes corn is harvested quite late in the fall. This year we worked with NEW Water and NRCS to inter seed a cover crop in one of our fields. It is kind of a new experimental practice. Now after the corn is harvested there'll be an established cover crop there to protect the soil through the winter months. We have already upgraded our manure management, by using low disturbance manure application, LDMA, and we look forward to implementing the new manure management rules that the tribe has put forth. Another practice that we do, when it comes to buffer strips, is that we clip and harvest them at least yearly. By doing this, we are capturing the nutrients and keeping them out of the runoff water. We have always worked with the tribe in a good faith manner and hope to continue with that relationship. thank you.

Land Management Response

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NICOLE ROMMEL (TIMES)

Thank you.

VANLANENS (TIME)

My husband Pat, we too rent a parcel on Pearl Street around the quarry and our question too is when you go back to this year to year lease, we do a lot of the practices already too, but our question is going to be now like this fall we want to fertilize. We don't want to fertilize the field if we find out in the spring, we don't have it. So, that's the only question I had this the last time we met too is going to the year-to-year lease. There is so many questionable things about engaging in all these good practices to keep the soil going, which is what we do, but yet still if we're going to be have it taken away from us the following year, that was the question. So, the question I have is we have a five year lease too which will be running out, would like to stay as a at least a five year lease, before we'd have to, you know, that way we could do and engage in more of the practices on a five-year lease versus a year to year lease where you're questioning every year whether it's going to be taken away from you or not. That's my question.

Land Management's Response

This rule is not shifting the lease term to year to year leases, it is affirming that the Nation's base lease term is five (5) years and that one (1) additional option of five (5) years may be included. As matter of policy, the Nation has elected to enforce its lease terms and to rebid out its lands at the end of the lease term (which would include any options) to ensure fair access to valuable agricultural land. The Nation certainly appreciates all of its lessees' business and hopes to continue leasing to our existing lessees into the future subject to these updated policies.

NICOLE ROMMEL (TIME)

Thank you.

DAVID LEWIS (TIME)

Hi, I'm David Lewis. This is my nephew, Matt. I had sold some property to the Oneida Nation and I've been renting that back and farming it and like Van Lannen's here, I also was

under a five year lease and I kind of do the exact same things they do with the fertilizing and everything, but I actually have an option to renew mine in another five-years. So, my question is I have a five-year lease with an option to renew, are you telling me that's not a good anymore is my question?

NICOLE ROMMEL (TIME):

I can't answer that like I said, you know individual leases or anything today, but we do understand that there has been some inconsistencies over the past few years and with this we really are trying to be more consistent and we will take into consideration the, you know, like I said, anything on here. Still longer than the year or options and whatnot. You know, we are working with the Land Commission. Land Commission does approve this, so we will try to do what we can, if that's the decision of the.

DAVID LEWIS (TIME):

I always had a great working relationship with Mary Jo, so I know she's now gone and we got new people and new things going on, but my myself actually too would like to see it on a five-year lease. So, yeah, you can plan your rotations, and you can fertilize and you're not putting money out there that you're basically throwing away and giving it to somebody else to benefit from it. Thank you.

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NICOLE ROMMEL (TIME)

OK. Thank you. Anyone else in your row? Are they all? Are you the spokesperson for all that?

ERIC SCHAUMBERG (TIME)

I'm Eric Schaumberg. My comment is about the manure pumping process, understanding that having hoses run along or through running water is not wanted or needed. Only question, I

have with that is there are some properties that you don't have road frontage to be able to directly pump to and there is now technology to be able to hook into a steel frames and run that manure up and over. They use it a lot for roads. I was wondering if that could possibly be thought for going through cricks, cricks that the manure doesn't even come close to touching the water whatsoever. That's my only comment.

Land Management Response

Staff has looked into the manure pipe bridge options and agrees that use of this equipment adequately protects the waterways and we will revise the Rule to allow it.

NICOLE ROMMEL (TIME)

OK. I feel like he wants to say something, but I'm gonna move on. Yeah, we're gonna go around. Yeah, we'll go around. Thank you. OK. Is that that's everything for the back row then? Awesome. Thank you. We'll come back up to the middle here.

JEREMY FREUND (TIME)

Jeremy Freund, Outagamie County Land Conservation Department. Section 2.8 rebate programs, line 328 requests inclusion of county land conservation as a program. We have a lot of programs that can help with a lot of the initiatives in this and just might help that part. Brown County also has things involved. So, just request to have county land conservation added for example. Thank you.

Land Management Response

We appreciate your attendance at the meeting and the sharing of resources and agree to include the reference in our Rule.

NICOLE ROMMEL (TIME)

OK, great. Thank you. Go behind.

JOSHUA VERBETEN (TIME)

I'm Joshua Verbeten, I rent land from you guys and I actually think some of the previous people as they've spoken have kind of touched on some of my because some of the things that I'm you know concerned about too, one of them being like she said, you know with you know crop rotations obviously fertilizing coming to fall, you know I'm relatively new into this, I'm 7-8 years in you know, obviously loans are coming to play and renting the land is pretty vital, you know, on my end, you know, and slowly divulging into raising some heifers on my own and was planning on running cover crops this fall to harvest for young stock. So, you know, it's one of them things where I, you know, be pretty hard for me to stand back and say to go in and plant a bunch of cover crops for harvest in the spring and then you know we I guess what you know where do we go from there you know so and the other portion too with the manure. I mean we run most of the land we run have creeks intersecting dividing and access points getting into some of the parcels of land are pretty hard. I you know I'm going to be

honest with you, like getting semis back and through them when it is dry is can even be a problem. So yeah, outside of that, I mean, I'm like, I like what we're trying to do here. I'm going to be honest with you, but in the same breath of it, one year, one year to a five year lease does make a huge, a huge difference, so that's it.

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With regard to manure pumping, the rules originally required trucks to move off of the roadway to pump onto a field. However, upon advice from subject matter experts, it was advised that such a requirement could to lead to higher risks of tipping the entire truck or the truck getting stuck, so that requirement has been removed.

NICOLE ROMMEL (TIME)

So I'm gonna stop the timer cause I am gonna ask, a clarifying question cause many of you are saying the same thing with the one year lease. So, your loans or your planning or your purchasing of material and equipment, like how do banks give you like, Oh my gosh, I can't speak. How long are the loans that banks give you? Like are you getting a mortgage on things or is it?

JOSHUA VERBETEN (TIME)

You have a farm mortgage you know, so I mean that's one thing, but you know, example would be, you know, I bought a new used tractor and the loan on it is five years. So, you know, you go in and you invest hundreds of thousands of dollars in the updated equipment and all of a sudden, well, guess what, next year you don't have the land. I mean that there are huge investments, you know, and I mean. To not know from year to year and a good portion of the property that I, you know, run is rented land, you know, and most of the parcels that I have are longer than year to year basis. That's all.

NICOLE ROMMEL (TIME): No, the back, you know, like I said, you know we're not. We take this to get approved by others. So, the more backup we have on these things, the better. So, that's why I'm asking that. So, OK, cool. We'll come up. We'll come to you there.

SIEBRAND MIEDEMA (TIME)

I'm Siebrand Miedema from Miedema Dairy Farm. In 2014 we bought a farm from Gary Gunnering. I'm not sure that you still know Gary Gunnering much. It's right on the state highway 55. So, what we did, we took the lease over from Gary the time and it was approved because we don't have any land that's around the farm. We own one, so we just rent from the Oneida Nation. Yeah, we really appreciate working with Oneida. Always it's really easy and yeah, running, running the land, you know that does, but you know, you run a nice crops and make sure everything, yeah, the way it's supposed to be. So, yeah, now is the question. Yeah, how are we going to do it now? Because, you know, if we're going to lose the land, yeah, we got to sit in a situation. What are we going to do? Because you can't run farm with no land. So, yeah, that's, so yeah, that's up to you guys. I guess it's yeah, we really want to continue working with you guys or maybe we can work with you guys with the land, or you know, we can. Yeah, hopefully we come up with a solution. We have two sons, they like moving forward to it. We got the daughter, so yeah, you're right in the community. So, yeah hopefully we can come up with a solution and we can continue *"unable to translate".* Yeah, Thank you.

Land Management Response

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NICOLE ROMMEL (TIME)

Thank you. OK any so we'll go to.

RAYMOND DIEDERICH (TIME)

Raymond Diederich currently we rent the grazing land in Oneida and like working with that situation, but a couple of concerns on the manure application. So, one is you have between

certain days is 10,000 gallons and between other days it's 12,000. Is that per application or per year or you know how's that actually split out and then there's a difference in rate. If we only put the 10 on, can we put the rest of it on later? And it's my understanding that a good nutrient management plan puts it on more than once a year and you can put more on because the plant is actually utilizing it. And the other one is, you know, does it have to be incorporated or not, you know? It's the amount you put on. Been working few last years on no till and if you do no till you can't put it on the ground because that's till. So, then you put it on top and of course that 12,000 gallons is a whole lot to put on top at one time, but if you put on less you can put on more. If you understand what I'm saying on that. And so that's I guess one of my concerns. The other one is being able to put hose across grass waterways or waterways in general. We got to figure out how to make it happen so we can make it happen safely, safely as opposed to putting trucks on the road. You can't say you can't do it. You got to figure out how to do it, do it safely and I think there's a lot of ways we can do it and do it safely because the last thing I want is manure my grass waterway because first of all I don't get anything out of it. Secondly, it just causes a lot of havoc. So, we'd like to see that happen also. We currently work with a lot of our applications, is either a dump tank on the side of the road or we hose it to the field, try to get the fields closer. We need to get across those grass waterways with the hose because that's the best way to do it and it keeps a lot of trucks off the road and out of the field, which is I think important for our fields, and for the trucks and it's my understanding that they've never tipped a truck over in the middle of the field, they've tipped them over driveways getting them in and out of the field. So that's why it and it's all about the driver. I get that, but that's still what we deal with. So, that's one of my concerns and then of course the long-term lease. You know that's go to any bank and they'll first thing they ask you is how long is your lease and if you say one year, well OK, they'll borrow your money for the year and well you try and pay that back in a year. That doesn't always work either. So long term that's what I'm looking at for some of these things and I realize this is a work in progress and appreciate. Having the ability to put input in on it. Thank you.

Land Management Response

With regard to the manure application, for clarification, the limits apply per application, not per year (this will be clarified in the Rule). Further, the Nation has agreed to the use of the manure bridge pipes, as suggested above. No other revisions will be made to the manure applications regulations at this time based on these comments.

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NICOLE ROMMEL (TIME)

Thank you.

DOUG HAYNES (TIME)

Doug Hinz Tilth Agronomy. Just here to figure out what's going on.

NICOLE ROMMEL (TIME)

All right, go to the back next row.

ADAM VANASTEN (TIME)

Adam VanAsten with the Neighborhood Dairy here. I guess a lot of the guys already touched base on most of my concerns. I guess I'd also go with the five-year lease being with dairy farm we've run a lot of alfalfa ground, which is always a green standing crop, you know, great for the soil, but it's a very expensive crop to put in. So, a one year lease, if we had put alfalfa in the first year, you're not going to come out ahead on us. Let's just, I guess like to see that five year lease with alfalfa ground. Thank you.

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NICOLE ROMMEL (TIME)

Thank you.

MIKE VANASTEN (TIME)

OK, I'm Mike VanAsten. I did sell a parcel to the Oneida Nation years ago and I rent that back. I want to keep renting it back. As far as conservation, I follow most of the practices and I enjoy working with you and I'd like to see five year leases. Thank you.

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>
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NICOLE ROMMEL (TIME)

Thank you.

MATT VAN WYCHEN (TIME)

Matt Van Wychen with Van Wychen Farms. Much like most people here said, I appreciate you guys having a second meeting. I'd like to reiterate the appreciation on the verbiage and expanding on the verbiage and the and the new lease, especially on the restricted use pesticide and versus prohibited use pesticide thing that I've mentioned and expanding on the manure, because previous lease didn't allow manure at all and you guys are listening to us, which I really do appreciate that. It seems like you're getting feedback. This is, this is good. This is it's definitely a working relationship. So, something I like to reiterate, it's my family sold plenty of land to the Oneida Nation way back, in the way back in the history and then we're renting it. We've been putting cover crops on it. We currently have over 200 acres of cover crops on the on the land and it's just something that we'd like to continue farming and see that five-year lease, you know and that's I mean most of people's, most of people's notes today and then in the ag world, your banker sits down with you and he's like he goes over that like he asked you how long your leases are and they goes over like cost of production. That's what it is nowadays. So, it's all included in your cost of production is whether or not you get renewed for next year and you see where farmers go under because of it, because they can't get notes redid. So, I guess that's all I have to say. So, I appreciate you guys having another meeting.

Land Management Response

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JOE VANASTEN (TIME)

Joe VanAsten, my son Adam commenting on all the comments that I guess we had to make so.

NICOLE ROMMEL (TIME)

I missed. I missed. No, you talked. Never mind. He disappeared. OK, back row.

ALEX KREPLINE (TIME)

Alex Krepline, Outagamie County Land Conservation Agronomist there. Two comments #1 Section 2.3-1, raw or green manure. I was just thinking of green manure. NRCF definition of green manure would be a legume that you plow under, and I think that section is strictly talking about animal byproducts. So, striking out green manure basically using raw manure and then I'll just echo the five-year leases from the soils. When we start going down the soil health journey, it takes your soils three to five years to really start changing to these systems and you know, even on a five-year lease, by the time we get our soils changed over and now the leases are going away, there's some way to have preference points. So, the current LVC, I think maybe get first dibs or continue renting that piece, some sort of language towards that. Thanks.

Land Management Response

In relation to manure, the Nation agrees that it is appropriate to strike "green manure" from the definitions.

In relation to the comment about the lease terms, this rule is not shifting the lease term to year-to-year leases, it is affirming that the Nation's base lease term is five (5) years and that one (1) additional option of five (5) years may be included.

NICOLE ROMMEL (TIME)

OK, thank you.

JEFF SMUDDE (TIME)

Jeff Smudde from New Water. I also have Nikki Rammer with me. She's kind of our spokesperson who many of you may work with, so happy to see the work done and the improvements adjustments made. Pleased to see in line 328 that new water is listed as one of the approved programs. That's great and adding as Jeremy Freund asked the county land conservation since we all work together on many of these efforts. That's a great idea. Overall, I think it's a it's a good, a good fit for improving soil health and improving water quality that couples with the program that we run. So really, I'm here just to help support and offer that. If you haven't connected with Nikki or myself, we're here to provide assistance. If it matches up with efforts that we're doing in Ashwaubenon Creek or Dutchman Creek, that's all. Thank you.

> **Land Management Response**
>
> No comment.

NICOLE ROMMEL (TIME)

OK, thank you.

DON MICKE (TIME):

My name is Don Micke. I've been renting from land from the tribe for quite a few years and yeah, I do a lot of conservation practices, but the buffer buffers along the ditches and yeah. You know, yeah, I just love to keep the land, you know, keep it in and have a five-year "*unintelligible*".

> **Land Management Response**
>
> With regard to the term, this rule applies to all leases in general moving forward. This Rule generally would not govern the terms of your existing lease, we would look to your lease document for that. For questions related to your specific lease, please reach out to our Leasing Specialist, Sheila Huntington, at (920) 869-6610 or email: shunting@oneidanation.org. This rule is not shifting the lease term to year-to-year leases, it is affirming that the Nation's base lease term is five (5) years and that one (1) additional option of five (5) years may be included.
>
> As matter of policy, the Nation has elected to enforce its lease terms and to rebid out its lands at the end of the lease term (which would include any options) to ensure fair access to valuable agricultural land. The Nation certainly appreciates all of its lessees' business and hopes to continue leasing to our existing lessees into the future subject to these updated policies.

NICOLE ROMMEL (TIME)

Great. Thank you.

DWAYNE SCHNEEKLOTH (TIME)

I've been renting for 22 years from the tribe, and I would like to be able to continue doing that if I could. Yeah, I guess the other thing was, it would be nice to know with in September about next year for getting, you know, ordering seed corn and stuff, you know, kind of same comments some of the other guys made. All right. Thank you.

Land Management Response

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NICOLE ROMMEL (TIME):

Thank you. So, yeah, go ahead.

NIKKI RAIMER (TIME)

I got skipped, I don't know why, but oh, sorry. So, as I work on the new water project, I work with a lot of leases on the Oneida Land and there's one thing I just wanted to tackle on them is the longer leases as well. I get a lot of people winter wheat is a really good cover as well, cover for a long time and lot of guys who have that in their crop rotation and this year not knowing if they're going to get the land, they were hesitating putting it in and our program said if you lose the land then we will pay you a cover crop payment, so, as we don't want to not have them plant winter wheat. This winter wheat is, you know, a good crop for them as well to have in their rotation and the same thing with the alfalfa fields. You're going to see a lot more row crops going in instead of the alfalfa with grass if you're doing one year leases because of the expense of the input, so and we know that's all good things, but that's a lot for them to risk if they're only going to have it year to year and they could have to lose the land.

Land Management Response

With regard to the term, this rule applies to all leases in general moving forward. This Rule generally would not govern the terms of your existing lease, we would look to your lease document for that. For questions related to your specific lease, please reach out to our Leasing Specialist, Sheila Huntington, at (920) 869-6610 or email: shunting@oneidanation.org. This rule is not shifting the lease term to year-to-year leases, it is affirming that the Nation's base lease term is five (5) years and that one (1) additional option of five (5) years may be included.

As matter of policy, the Nation has elected to enforce its lease terms and to rebid out its lands at the end of the lease term (which would include any options) to ensure fair access to valuable agricultural land. The Nation certainly appreciates all of its lessees' business and hopes to continue leasing to our existing lessees into the future subject to these updated policies.

NICOLE ROMMEL (TIME)

Thank you. I thought you guys were together.

NIKKI RAIMER (TIME)

That's fine.

NICOLE ROMMEL (TIME)

That's why I skipped you. Me too and yes, so Pat, you are next.

You get to. So, we've just been. So, the public meeting is that everybody makes comments on the draft rule and we did put it down for three minutes per person for this call because I didn't know how many would come, so, we went around the room already. So, it's your turn to do your three-minute input. The only way we know is it's being recorded. So, speak clearly and loudly so we can hear you and get your comment and say your name first.

PAT CORNELIUS (TIME)

My name is Pat Cornelius, former manager, retired manager from Oneida Nations Farms. We started off with a few acres and we ended up with I think we're doing about 6000 right now and I say we because I still feel like I still go see them. I still go out to visit the Oneida Nation Farms. I think the Oneida Tribe has enough acres for a lot of people to rent, lease, and go ahead and continue farming.

At one time we the Oneida Nation Farms, I'm doing a little history here. The Oneida Nation itself didn't farm for many years because when they came from New York, all they did is subsistence farming for themselves. So now in later years as we're purchasing land, we now have enough acres to lease out to other farmers and Oneida Nation farmers as well and I think it's I, I, I just say there's enough land for everybody to do their agricultural farming, whether you're non-tribal or tribal.

Doesn't matter to me as long as you get the work done and do your job and pay your leases, but I'm on the Oneida Land Commission as well and I'm on another committee. You retired

and you don't retire. You just keep working.
Oh, I started out on Seminary Rd. in Oneida. I just give you a little background, started out in Oneida. My dad was a farmer on Seminary Rd. of about 100 acres and started out with horses, tractors, whatever, and I learned how to farm from him and there's nothing wrong with crop rotation. You can call it anything you want. You can call it. They have a new name for it right now. What is it? Regenerative farming? Give me a break. It's rotational cropping. It goes from 1 crop to another. You got to know what you're doing. You got to get the most you can out of your soil. That's how I look at it and you don't need to be grandiose. You can be if you want, but you don't have to be, but you have to manage your fields and that's how I looked at it and when they gave me the farm for Oneida Nation to me, they said here, I was needed going into another job and Kathy King was the manager and she said, Pat, how would you like to start the farm? And we've been trying and trying and trying and many people before me who tried and couldn't succeed. I said give it to Mike. Jay's gonna make it. I said just leave me alone. Let you manage your as long as you manage your farms and doing it well, nobody should have to come to you and talk to you about anything. You're just doing what you should do as a farmer.
I don't know what the biggest farms that we have, because now we're purchasing farms where we have a lot of land that's being rented back and leased back. We have new guys, Mr. Skenandore, doing well. You're doing a good job. I remember when I first met him, he said he wanted to be a farmer. I said, are you kidding me? Yeah.

NICOLE ROMMEL (TIME)

Pat, Pat, you only have 3 minutes,

PAT CORNELIUS (TIME)

3 minutes. Ok.

NICOLE ROMMEL (TIME)

You're done?

PAT CORNELIUS (TIME)

So, as far as what anybody wants to do in agriculture with the Oneida Nation, with the Oneida Nation, I think it can be done. I just wish everybody well. I don't farm much anymore. I'm gonna be 86 in a couple of months and but I still do a lot of gardening and canning and all that other stuff, but I am on the Commission to work with all you farmers, so and doing the rules and regulations. So, you're all doing what you're supposed to do, there shouldn't be no worry about it and it's open to anybody who comes in and twice. So, wish you all well.

> **Land Management Response:** Management thanks Commissioner Cornelius for attending the hearing, sharing her experience and embracing the Nation's agricultural lessees.

NICOLE ROMMEL (TIME)

Thank you. Thank you, Pat. So that's, I mean that's it. We do have time. So, if anybody wants to go again, I don't know if you have any other comments or anything or I mean anything else comes up, you can always put it in writing and we'll go around and do 3 minutes again. So yeah, go ahead. State your name again.

RAYMOND DIEDRICH (TIME)

Raymond Diedrich, follow up. I just mentioned about what regenerative farming or whatever they call it today. I just call it good farming.
That's why it touched a lot on the manure because we buy very very little commercial fertilizer. It's all comes out of the cow. We put it in the front end, take it out the back end and use it again. We just harvested a 20 acre field of corn silage and we got 25 ton. Corn silage off of it and there is 50 gallons of 28 on that field and that's all the commercial fertilizer that's all the rest of its manure and you don't get it done with 8000 gallons of manure takes a little bit more than that, and so that's where it's critical that we do watch what we do, do the no till, do the cover crops and all that kind of stuff, but it's the manure is critical for us. You don't get 25 ton of corn silage on no fertilizers. You just look at our field when you drive by at the edge of it right by the road where we try and stay a little bit farther away with the manure. It's terrible, but I don't care what the outside looks like. It's more about what we end up with and it's important to get the most per acre out without wasting fertilizer and so that's why it's really critical for what we do. So, just a little bit more on that manure, we try you know, it's highly important to us, which we don't like to waste. We try to get it on the whole field and done well, so. Appreciate it. Thank you.

Land Management Response

No comment.

NICOLE ROMMEL (TIME)

Thank you. Anyone else have any?

PAT CORNELIUS (TIME)

Can I expand on what he just said?

NICOLE ROMMEL (TIME)

Yes, you can.

PAT CORNELIUS (TIME)

I know we have people in our community who are complaining when we start having to put the manure on, especially in the fall, but here's the thing is to expand on what he said is I remember when I was still there, and I think they're still doing the same thing. You test your

manure, you test your soils. You got to know what you're doing. You can't overload your fields. So, you know how much manure you can spread per acre on that field and then get it injected right into the field, that's critical. There are some farmers that we know that you see on TV who just supported on, but you can't do that. You got to test your soils. You got to know what your murderer is telling you and what you need and do it that way. So, if you're going to violate, well then and you think there's consequences for that, but I think most farmers know what they're doing and he said it right. You got to know where you're at.

NICOLE ROMMEL (TIME)

OK. All right. I'm going to stop comments then. That's the end of the public meeting. Like I said, the next steps are to, Pat got the last word in. The next steps are to, for the group to meet, go over all of these and see where we want to make changes. If they're substantial, we'll have another meeting. If not, we'll mail out a draft again, I believe. I'm pretty sure we do that because this is, oh, go ahead.

UNKNOWN GENTLEMAN TALKING (TIME)

I'm just wondering, are we going to hear an answer back? As to where we stand this fall, I mean, I know I'm under a lease and you said I don't know if is that good yet or not but are we going to hear fairly soon where we are so we know if we can put our fall fertilizers on and where we go this year and then. How long time frame before we know where we stand right now, I guess is what I'm asking

NICOLE ROMMEL (TIME)

That, I'm not sure if you want to go. Yeah, go ahead.

ERIC MCLESTER (TIME)

Sorry, I was late getting here. Eric McLester, I'm the Division Director for the Environmental Land and Ag Department and yes, I know, I know we're talking about the rule, but a lot of questions are about leasing and that's something that the one year lease was just to get us through this year to get all the leases on the same level, same template, same format. Sheila is working on that and it's not that these will, we're waiting until December to issue these leases as fast as we can get them processed and completed. We'll get them out to you in regards to needing to know this year, you know. I would like to say that we can give you notice by the end of this month, maybe not at least, but at least give you notice that, the I don't want to speak for you, but I know that's a lot of work to try and have it already. That's information in regards to your lease so that you know whether or not you should be doing anything with that land or if it's, you know, going to be that the lease ends at the end of December, then you know it's important that we get that notice to you now, so that you know what to do. You need any inputs that you want to put on or not this fall. Can't comment that because Sheila would probably kill me, but we will do our best to get those out to you.

UNKNOWN GENTLEMAN TALKING (TIME)

Because we're just not in limbo and we kind of, you know, I'm sure every one of us in here feel that same way right now.

ERIC MCLESTER (TIME)

There's some, there's some leases that are automatically renewed for another five-years and we will if you choose to take that option, we will.
You'll allow for that, but there's some that have been renewed and renewed and renewed and those are the ones that they are probably at the end of their renewal period and we have to review those and make a determination on those leases. So that hopefully will be something we can get you noticed.

UNKNOWN GENTLEMAN TALKING (TIME)

So, Sheila's got a lot of work to do. I'm so sorry for yeah.

NICOLE ROMMEL (TIME)

Yes, thank God, we have her.

UNKNOWN FEMALE (TIME)

Does Sheila have enough staff? Cause I can volunteer sometime to help out.

NICOLE ROMMEL (TIME)

No, it is just Sheila. OK, I'm gonna call the meeting to an end. Then I'm gonna stop the recording like you know, written comments by the 17th and thank you all for coming. Really appreciate all the input. Feedback. We are trying to work to do the best for everyone, so thank you.

> **Land Management Response:** Management's response to this dialog regard when information will be released to lessees about the upcoming agricultural leasing process, including renewals, options and/or extensions of any kind is addressed in Eric McLester's response as the public meeting:
>
> I know we're talking about the rule, but a lot of questions are about leasing and that's something that the one year lease was just to get us through this year to get all the leases on the same level, same template, same format. Sheila is working on that and it's not that these will, we're waiting until December to issue these leases as fast as we can get them processed and completed. We'll get them out to you in regards to needing to know this year, you know. I would like to say that we can give you notice by the end of this month, maybe not at least, but at least give you notice that, the I don't want to speak for you, but I know that's a lot of work to try and have it already. That's information in regards to your lease so that you know whether or not you should be doing anything with that land or if it's, you know, going to be that the lease ends at the end of December, then you know it's important that we get that notice to you now, so that you know what to do. You need any inputs that you want to put on

or not this fall. Can't comment that because Sheila would probably kill me, but we will do our best to get those out to you.

JEREMY WHEELOCK (written comment)
Requesting that Ag lease contracts state that tribal members have full-access to the property or Ag lease contracts cease to exist. Where in an Ag lease does it prohibit tribal members from passing through or hunting? I can't seem to find anything. This is not fair to tribal members. How much of the AG leased land is leased to non Oneidas? How many acres of land could be potentially be land locked if the leaser chose to not allow access? Why is modern day Oneida "politics" more worried about money then the principle of allowing a nontribal member (or anyone) the privilege of kicking a tribal member off of their own land? Ag lease holders should lose their leases indefinitely if found vandalizing tribal members property or breaking any tribal law on that property. All of this land is all of ours to share equally.

Land Management Response: There is nothing in the Agricultural Leases, the Public Use of Tribal Land law or the Hunting, Fishing and Trapping laws that prohibit tribal members from accessing leased land for hunting purposes. The Nation developed a hunting map and that hunting map is accurate; if land is marked open for hunting on the map, Oneida Nation hunters may access the land to hunt without asking for any permission provided that such access may not damage property, including crops.

JULIE DENNY (written comments)
1. I recommend adding language to Title 6: Property and Land Ordinance, that a "lessee" has no right to engage in criminal damage of a hunter's property, this should be immediate grounds for termination of agriculture lease.
2. 2. A lessee has no right to treat any citizen disrespectful.
3. This year a handout was given to each person issued a hunting license, that handout cited "asking everyone to use proper judgement" "obtain permission" and utilize established "laneways" to access property.

A. My question is what is a "laneway", needs to be clarified so everyone knows.
B. Obtain permission-how is the average hunter supposed to know who to contact to obtain permission. It should be mandatory in their lease they disclose this information if they wish to enter into a lease agreement.
C. I recommend adding language in the Agriculture Lease, that lease must make public their phone number on their tract of leased property.
D. If the agriculture lease is subleased to a non-tribal person, does that non-tribal has the right to kick tribal members off our own tribal lands?? This is a critical question a number of hunters are concerned about.
E. There is no language in the Agriculture lease that cites what agriculture leasee are prohibited from doing when it comes to co-existing with hunters during the hunting season. Can they block hunters access to the wooded areas?
F. Where does it indicate in Agriculture lease that Ag lease has authority to post

signage up such as "no trespassing or no hunting". Does that mean if a hunter shoots a deer that the hunter can't retrieve it? Is the leasee willing to grant permission?

a. Maybe a resolve is to add language in Title 6, that requires the lessee must allow a "downed deer" to be removed, no permission is needed. Exercise our sovereignty and right to recreational hunt to the fullest extent.

b. Agriculture leases should only be for the tillable land and should NOT extend into any wooded areas, this then gives the hunter a "walkway" to walk around perimeters without being cited for trespassing to get to adjacent woods.

G. In my quest to bring this to attention, I personally feel all the parties that have a stake in this are all not on the same page about the knowledge of the language of Leasing Law and Hunting Law, as both ordinances impact one another. Its my goal to have the ALL the stakeholders come together and do what's best so we can co-exist together. I recommend OPD, DOLM, Game Warden, Erics Dept, LOC should all be aware of what role they play, share information as amendments are made. I personally experienced difficulty getting exact dates of submission deadlines, places of where these meeting were being held at.

Land Management Response: There is nothing in the Agricultural Leases, the Public Use of Tribal Land law or the Hunting, Fishing and Trapping laws that prohibit tribal members from accessing leased land for hunting purposes. The Nation developed a hunting map and that hunting map is accurate; if land is marked open for hunting on the map, Oneida Nation hunters may access the land to hunt without asking for any permission provided that such access may not damage property, including crops.

The commenter is referring to a specific situation that took place and for which law enforcement responded to a tribal member hunter reporting property damage caused to his hunting blind and camera caused by a tribal member agricultural lessee. The lessee reports believing the hunter was not allowed to access his leased lands to hunt and that his access by 4 wheeler caused crop damage. Law Enforcement response included a citation to the agricultural lease holder for damage to property. It is notable that the lease holder did have proof of damage to crops caused by recreational vehicles moving throughout his property but law enforcement did not issue citations to any hunters because there was no evidence as to who caused the crop damage; had there been evidence that the hunter damaged crops, then both parties involved in this act would have received citations for property damage.

It is not necessary to include language about damage to property in the agricultural leases, because damage to property is both a civil offense pursuant to the Public Peace law and, in some cases, criminal pursuant to Wisconsin law. Administratively, the matter was addressed at a Land Commission meeting and with management. All parties have since been made aware that the Hunting, Fishing and Trapping law is the sole authority related to hunting on the Oneida Reservation and its terms govern. That being said, generally applicable laws like the Public Peace Law and the Wisconsin criminal code continue to govern all tribal member's conduct on the reservation.

March 2026

March 2026

Su	Mo	Tu	We	Th	Fr	Sa
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April 2026

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MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
Mar 2 11:00am Canceled: Conflicts of Interest amendments - work meeting with LOC (Microsoft Teams Meeting) - Carolyn A. Salutz	3	4 8:30am LOC Prep Meeting (Microsoft Teams Meeting; 9:00am Legislative Operating Committee Meeting (Microsoft 1:30pm LOC Work Session (Microsoft	5 3:30pm Research Law Development (Microsoft Teams Meeting) - Grace L. Elliott	6
9	10	11	12	13 1:30pm Boards, Committees, Commissions - work meeting with LOC (Microsoft Teams Meeting) - Carolyn A. Salutz
16 10:00am Vendor Licensing - work meeting with LOC - draft #10 (Microsoft Teams Meeting) - Carolyn A. Salutz	17	18 8:30am LOC Prep Meeting (Microsoft Teams Meeting; 9:00am Legislative Operating Committee Meeting (Microsoft 1:30pm LOC Work Session (Microsoft	19	20
23	24	25	26 10:00am Ten Day Notice Policy amendments - work meeting with LOC (Microsoft Teams Meeting; BC_Exec_Conf_Room) - Carolyn A. Salutz	27
30	31	Apr 1	2	3