

Financial Analysis for 009 Generative AI Usage

Type of Cost	Description/Comment	Dollar Amount
Start Up	N/A	\$0.00
Personnel	N/A	\$0.00
Office	N/A	\$0.00
Documentation	N/A	\$0.00
Estimate of time necessary for an individual or agency to comply with the rule after implementation	Estimated 3 months to 9 months	
Other, please explain		
Total	Annual Net Revenue	\$0.00

Summary Report for Acceptable Use Rule

Original effective date: Ten days after rule adoption.

Amendment effective date:

Name of Rule: Generative AI Usage

Name of law being interpreted: Technology Resources Law

Rule Number: 9

Other Laws or Rules that may be affected:

Brief Summary of the proposed rule: With the increasing popularity of generative AI chatbots such as OpenAI's ChatGPT and DeepSeek, as well as other AI tools and applications, this rule outlines the proper use of such technologies while working at Oneida Nation.

Statement of Effect: Obtained after requesting from the Legislative Reference Office.

Financial Analysis: See Attached.

Note: *In addition- the agency must send a written request to each entity which may be affected by the rule- asking that they provide information about how the rule would financially affect them. The agency must include each entity's response in the financial analysis. If the agency does not receive a response within 10 business days after the request is made, the financial analysis can note which entities did not provide a response.*



Title 2. Employment – Chapter 215 TECHNOLOGY RESOURCES LAW Rule #009 – Generative AI Usage

- 9.1 Purpose and Authority
- 9.2 Adoption, Amendment and Repeal
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9.1 Purpose and Authority

9.1-1. Purpose. With the increasing popularity of generative AI services such as OpenAI's ChatGPT and DeepSeek, as well as other AI tools and applications, it has become necessary to outline the proper use of such technologies while working at Oneida Nation. While we remain committed to adopting new technologies to aid our mission when possible, we also understand the risks and limitations of AI and want to ensure responsible use. Our goal is to protect employees, clients, suppliers, customers, and the Nation from harm, while leveraging AI to enhance efficiency, innovation, and competitive advantage.

9.1-2. Authority. The Technology Resources Law delegates rulemaking authority to the Digital Security Department pursuant to the Administrative Rulemaking law.

9.2 Adoption, Amendment and Repeal

9.2-1. This rule was adopted by the Oneida Nation Business Committee in accordance with the procedures of the Administrative Rulemaking law.

9.2-2. This rule may be amended or repealed by the Digital Security Department and/or the Oneida Nation Business Committee pursuant to the procedures set out in the Administrative Rulemaking law.

9.2-3. Should a provision of this rule or the application thereof 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.

9.2-4. 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 shall control.

9.2-5. This rule supersedes all prior rules, regulations, internal policies or other requirements relating to the use of AI technologies.

9.3 Definitions

9.3-1. This section shall govern the definitions of words and phrases used within this rule. All words not defined herein shall be used in their ordinary and everyday sense.

- (a) AI Generated Content: Content created by AI tools.
- (b) AI Tools: Systems that use artificial intelligence to generate content, analyze data, or automate tasks, including but not limited to generative AI chatbots (e.g., ChatGPT), image generators, and data analysis platforms.
- (c) Approved AI Tools: AI tools authorized for use by Oneida Nation staff.
- (d) Digital Security Department: The department responsible for overseeing the implementation and maintenance of digital security policies and procedures.
- (e) Proprietary Company Data: Confidential or sensitive information owned by Oneida Nation.

9.4 Digital Security Office Responsibilities

9.4-1. The Digital Security Office shall ensure:

- (a) Rules, policies, and procedures manage the process of using AI tools responsibly.
- (b) Rules, policies, and procedures prevent staff from sharing proprietary company data with AI tools.
- (c) Procedures advise staff on the proper use of AI tools and the importance of verifying AI-generated content. This includes providing mandatory annual training on AI tool usage, risks, and verification processes.
- (d) Rules, Policies, and procedures indicate when AI tools shall be supplemented with additional access controls. Examples of additional access controls include multi-factor authentication, encryption, or restricting access to authorized personnel only.

9.5 Scope

9.5-1. This rule applies to all Oneida Nation employees and contractors and to all work associated with Oneida Nation that those employees perform, whether on or off company premises.

9.5-2. Employees using AI tools on personal devices or remote networks shall comply with Digital Security Department guidelines for secure access and data protection.

9.6 Usage Options

9.6-1. Limited Use.

- (a) Limited use of AI tools approved by the Digital Technology Services Department will be allowed while performing work for Oneida Nation with the approval of your supervisor. Oneida Nation system credentials should be used to create an account with this technology. Company data may be submitted (copied, typed, etc.) into this platform.
- (b) Employees wishing to use AI tools shall inform their supervisor for prior approval explaining how the tool will be used.
- (c) All AI-generated content shall be reviewed for accuracy before relying on it for work purposes. If a reliable source cannot be found to verify factual information generated by the AI tool, that information cannot be used for work purposes. Verification requires

cross-checking AI-generated content against reliable, independent sources or expert review, documented as part of the approval process.

9.6.2 Acceptable Use Examples:

- (a) For general-knowledge questions meant to enhance your understanding of a work-related topic.
- (b) To brainstorm ideas related to projects you are working on.
- (c) To create formulas for Excel spreadsheets or similar programs.
- (d) To develop or debug code, to be verified before deployment.
- (e) To draft an email or letter.
- (f) To summarize online research or to create outlines for content projects to assist in full coverage of a topic. Only content written by employees may be included in a final product.
- (g) To generate initial drafts of reports or presentations.
- (h) To translate work-related documents for review.

9.6.2. Restricted Use.

- (a) Use of AI tools will be allowed while performing work for Oneida Nation only with prior approval by the Digital Security Department. Oneida Nation system credentials should not be used to create an account with this technology. Company data should not be submitted (copied, typed, etc.) into these platforms. Restricted Use applies to experimental or unvetted AI tools, requiring additional Digital Security Department evaluation for security and compliance.
- (b) Employees wishing to use AI tools shall inform their supervisor for prior approval explaining how the tool will be used.
- (c) All AI-generated content shall be reviewed for accuracy before relying on it for work purposes. If a reliable source cannot be found to verify factual information generated by the AI tool, that information cannot be used for work purposes. Verification requires cross-checking AI-generated content against reliable, independent sources or expert review, documented as part of the approval process.

9.6.3. Ethical Use.

- (a) Employees shall use AI tools in accordance with all Oneida Nation's conduct and antidiscrimination policies. These technologies shall not be used to create content that is inappropriate, discriminatory, or otherwise harmful to others or the company. Such use will result in disciplinary action, up to and including termination. Employees shall report suspected unethical use of AI tools to the Digital Technology Services Department or a designated ethics officer within 24 hours.

9.7 Prohibited Activities

9.7-1. Employees shall not engage in dangerous, illegal, or discriminatory activities or otherwise violate applicable law or regulations. This includes generating or distributing content that:

- (a) Relates to child sexual abuse or exploitation.
- (b) Facilitates violent extremism or terrorism.
- (c) Facilitates non-consensual intimate imagery.
- (d) Facilitates self-harm.
- (e) Facilitates illegal activities or violations of the law, such as providing instructions for synthesizing or accessing illegal or regulated substances, goods, or services.

(f) Violates the rights of others, including privacy and intellectual property rights, such as using personal data or biometrics without legally required consent.

(g) Tracks or monitors people without their consent.

(h) Makes automated decisions that have a materially detrimental impact on individual rights without human supervision in high-risk domains, such as such as employment decisions, healthcare services, financial allocations, or tribal governance processes affecting individual rights.

9.7-2. Employees shall not compromise the security of others' or Oneida Nation's services. This includes generating or distributing content that facilitates:

(a) Spam, phishing, or malware.

(b) Abuse of, harm to, interference with, or disruption to [Company Name]'s or others' infrastructure or services.

(c) Circumvention of abuse protections or safety filters, such as manipulating the model to contravene our policies.

9.7-3. Employees shall not engage in sexually explicit, violent, hateful, or harmful activities. This includes generating or distributing content that facilitates:

(a) Hatred or hate speech.

(b) Harassment, bullying, intimidation, abuse, discrimination, or the insulting of others.

(c) Violence or the incitement of violence.

(d) Sexually explicit content, such as content created for the purpose of pornography or sexual gratification.

9.7-4. Employees shall not engage in misinformation, misrepresentation, or misleading activities which includes fraud, scams, or other deceptive actions.

9.7-5. Employees shall not use AI tools in ways that perpetuate bias or discrimination, such as generating content that unfairly targets or misrepresents individuals or groups

9.8. Enforcement

- (a) Any violation of this rule will result in disciplinary action, up to and including termination.

9.9. References

- (a) HIPAA Rule 45 CFR § 164.502, 45 CFR § 164.308, 45 CFR § 164.508

End.

Original effective date: [add effective date established by authorized entity] (Certified by LOC on)



Statement of Effect

Technology Resources Law Rule No. 9 – Generative AI Usage

Summary

The Technology Resources Law Rule No. 9 – Generative AI Usage outlines proper use of Artificial Intelligence (AI) technologies while working for the Nation.

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

Date: March 5, 2026

Analysis by the Legislative Reference Office

The Administrative Rulemaking law provides authorized agencies the opportunity to promulgate rules interpreting the provisions of any law enforced or administered by it; provided that, a rule may not exceed the rulemaking authority granted under the law for which the rule is being promulgated. [1 O.C. 106.4-1]. Rulemaking authority is defined as the delegation of authority to authorized agencies found in the Nation’s laws, other than the Administrative Rulemaking law, which allows authorized agencies to implement, interpret and/or enforce a law of the Nation. [1 O.C. 106.3-1(i)]. An authorized agency is defined as any board, committee, commission, department, program or officer of the Nation that has been granted rulemaking authority. [1 O.C. 106.3-1(a)].

The Technology Resources law regulates the usage of technology resources and processed data owned and operated by the Nation. [2 O.C. 215.1-1]. It is the policy of the Nation to provide its community and employees access to the tools necessary to participate in a technological society. [2 O.C. 215.1-2]. Allowing limited personal use of these tools helps enhance the quality of the workplace and helps the Nation to retain highly qualified and skilled workers and officials, as well as to develop the technological skills of the community. *Id.* Pursuant to this law, users are permitted limited use of technology resources of the Nation for personal needs if the use does not interfere with the authorized duties of the user or official business of the Nation. *Id.* The Technology Resources law does not create a right to use technology resources of the Nation for personal use. [2 O.C. 215.1-2(a)]. The Technology Resources law in no way limits use of technology resources to fulfill authorized duties. [2 O.C. 215.9-1].

The Technology Resources law provides that the Digital Technology Services (“DTS”) is delegated administrative rulemaking authority in accordance with the Administrative Rulemaking law to promulgate rules to govern technology resources of the Nation. [2 O.C. 215.1-2(b)].

The purpose of the Technology Resources Law Rule No. 9 – Generative AI Usage (“the Rule”) is to establish proper use of Artificial Intelligence (AI) technologies while working for the Nation. [Rule 8.1-1]. This Rule sets out to protect employees, clients, suppliers, customers, and the Nation from harm, while leveraging AI to enhance efficiency, innovation, and competitive advantage. *Id.*

The Rule addresses:

- Digital Security Department Responsibilities [Rule 9.4];
- Scope [Rule 9.5];
- Usage Options [Rule 9.6];
- Prohibited Activities [Rule 9.7];
- Enforcement [Rule 9.8];
- References [Rule 9.9].

Conclusion

There are no legal bars to adopting the Technology Resources Law Rule No. 9 – Generative AI Usage.