

ONEIDA NATION PUBLIC MEETING NOTICE

JUNE 11, 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](https://oneida-nsn.gov/government/register/public-meetings)

Send Public Comments to

LOC@oneidanation.org

Ask Questions here

LOC@oneidanation.org

920-869-4417



BOARDS, COMMITTEES, and COMMISSIONS LAW AMENDMENTS

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 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.

The Boards, Committees, and Commissions law amendments will:

- ◆ Clarify it is the purpose of the amendments to establish clear standards of conduct.
- ◆ Clarify it is 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.
- ◆ Strengthen, clarify, and add definitions for Conflict of Interest, fiscal year, letter, member, political appointee, and Secretary.
- ◆ Clarify the Oneida Business Committee or designee shall be responsible for drafting the initial bylaws and the Oneida Business Committee will approve the initial bylaws.
- ◆ Clarify the responsibilities of the Boards, Committees, Commissions Department, including: responsibilities once managed by the Business Committee Support Office; and managing offboarding procedures for when a member leaves an entity.
- ◆ Clarify when a member's term ends, the member may remain in their position until the successor is sworn in but no longer than sixty (60) business days. This helps prevent discontinuation of services but by setting a sixty-day (60) deadline also reinforces appropriate turnover.
- ◆ Clarify all entities must be in compliance with the Nation's travel policies.
- ◆ Clarify all entities must address conflict resolution and leaves of absence in their bylaws.
- ◆ Clarify all entities must include a procedure for withholding a member's stipend in their bylaws.
- ◆ Clarify that rather than the requirement to submit quarterly reports to the Oneida Business Committee, all entities will be required to submit at least two reports each fiscal year to the Oneida Business Committee.
- ◆ Clarify all entities may hold virtual meetings pursuant to any requirements established by the Oneida Business Committee and pursuant to any additional requirements established by the entity.
- ◆ Clarify that every appointed and elected member will receive an official Oneida Nation email address.
- ◆ Clarify standards of conduct such as: good mind; cultural accountability; several instances of prohibited conduct; attendance and meeting conduct; nepotism; gifts and honorarium; and fair dealing and impartiality.
- ◆ Clarify how the Nation will manage actual or implied conflicts of interest including the creation and maintenance of annual and as-needed disclosure forms.
- ◆ Add a requirement that all members shall submit disclosure forms annually and within a reasonable time after a conflict arises or becomes known.
- ◆ Clarify 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.
- ◆ Clarify which positions may not be eligible to serve on an appointed or elected board because of the potential for an actual or implied conflict of interest.
- ◆ Clarify that members have an ongoing duty to disclose and shall promptly disclose and comply with the requirements of a conflict of interest mitigation plan.
- ◆ Clarify enforcement provisions.
- ◆ Include appeal rights; 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.
- ◆ Various grammatical changes and other minor changes throughout the law.

PUBLIC COMMENT PERIOD CLOSES JUNE 18, 2026.

Individuals may attend the public meeting for the proposed Boards, Committees, and Commissions law amendments 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.

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 Boards, Committees, and Commissions law amendments please review the public meeting packet at oneida-nsn.gov/government/register/public-meetings.



BOARDS, COMMITTEES, AND COMMISSIONS LAW AMENDMENTS LEGISLATIVE ANALYSIS

SECTION 1. EXECUTIVE SUMMARY

Analysis by the Legislative Reference Office

Intent of the Legislation or Amendments

- Clarify it is the purpose of the amendments to establish clear standards of conduct. [1 O.C. 105.1-1].
- Clarify it is 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. [1 O.C. 105.1-2].
- Strengthen, clarify, and add definitions for Conflict of Interest, fiscal year, letter, member, political appointee, and Secretary. [1 O.C. 105.3-1(h); (l); (n); (o); (r); (t)].
- Clarify the Oneida Business Committee or designee shall be responsible for drafting the initial bylaws and the Oneida Business Committee will approve the initial bylaws. [1 O.C. 105.4-3; 105.4-4].
- Clarify the responsibilities of the Boards, Committees, Commissions Department, including:
 - responsibilities once managed by the Business Committee Support Office; and
 - managing offboarding procedures for when a member leaves an entity. [1 O.C. 105.10-2].
- Clarify when a member's term ends, the member may remain in their position until the successor is sworn in but no longer than sixty (60) business days. This helps prevent discontinuation of services but by setting a sixty-day (60) deadline also reinforces appropriate turnover. [1 O.C. 105.6-2(a)(1)].
- Clarify all entities must be in compliance with the Nation's travel policies. [1 O.C. 105.11-3(7)].
- Clarify all entities must address conflict resolution and leaves of absence in their bylaws. [1 O.C. 105.11-3(d)(6)-(7)].
- Clarify all entities must include a procedure for withholding a member's stipend in their bylaws. [1 O.C. 105.11-3(e)].
- Clarify that rather than the requirement to submit quarterly reports to the Oneida Business Committee, all entities will be required to submit at least two reports each fiscal year to the Oneida Business Committee. [1 O.C. 105.13-3].
- Clarify all entities may hold virtual meetings pursuant to any requirements established by the Oneida Business Committee and pursuant to any additional requirements established by the entity. [1 O.C. 105.14-8].

	<ul style="list-style-type: none"> ▪ Clarify that every appointed and elected member will receive an official Oneida Nation email address. <i>[1 O.C. 105.15]</i>. ▪ Clarify standards of conduct such as: <ul style="list-style-type: none"> ▪ good mind; ▪ cultural accountability; ▪ several instances of prohibited conduct; ▪ attendance and meeting conduct; ▪ nepotism; ▪ gifts and honorarium; and ▪ fair dealing and impartiality. <i>[1 O.C. 105.16]</i>. ▪ Clarify how the Nation will manage actual or implied conflicts of interest including the creation and maintenance of annual and as-needed disclosure forms. <i>[1 O.C. 105.16-8(a)]</i>. ▪ Add a requirement that all members shall submit disclosure forms annually and within a reasonable time after a conflict arises or becomes known. <i>[1 O.C. 105.16-8(a)(3)]</i>. ▪ Clarify 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. <i>[1 O.C. 105.16-8(b)(1)]</i>. ▪ Clarify which positions may not be eligible to serve on an appointed or elected board because of the potential for an actual or implied conflict of interest. <i>[1 O.C. 105.16-8(c)]</i>. ▪ Clarify that members have an ongoing duty to disclose and shall promptly disclose and comply with the requirements of a conflict of interest mitigation plan. <i>[1 O.C. 105.16-8(d)]</i>. ▪ Clarify enforcement provisions. <i>[1 O.C. 105.19]</i>. ▪ Include appeal rights; 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. <i>[1 O.C. 105.19-4]</i>. ▪ Various grammatical changes and other minor changes throughout the law.
<p>Purpose</p>	<p>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. <i>[1 O.C. 105.1-1]</i>.</p>
<p>Affected Entities</p>	<p>All Boards, Committees, and Commissions of the Nation, the Boards, Committees, and Commissions Department, the Governmental Administrative Office, the Oneida Business Committee.</p>

Enforcement	<p>Any appointed member of an entity found to be in violation of this law may be subject to termination of appointment by the Oneida Business Committee, loss of stipend, or any other penalty identified in the entity’s bylaws. <i>[1 O.C. 105.19-1]</i>.</p> <p>Any elected member of an entity found to be in violation of this law may be subject to loss of stipend or any other sanction or penalty in accordance with any laws or policies of the Nation governing sanctions and penalties, removal pursuant to any laws or policies of the Nation governing removal, or any other penalty identified by the entity in their bylaws. <i>[1 O.C. 105.19-2]</i>.</p> <p>Enforcement provisions are also found in various subsections throughout the entire law, such as:</p> <ul style="list-style-type: none">▪ The requirement that all entities address in their bylaws the reasons for termination and removal of a member, if any, in addition to those identified in laws or policies of the Nation. <i>[1 O.C. 105.11-3(6)]</i>.▪ The requirement that all entities address in their bylaws behavioral expectations and requirements for members and how the entity will enforce those expectations and requirements. <i>[1 O.C. 105.11(3)(d)]</i>.▪ The requirement that all entities shall address in their bylaws a procedure for withholding a member’s stipend. <i>[1 O.C. 105.11-3(e)(1)]</i>.▪ If an entity fails to comply with the reporting requirements of this law, the Oneida Business Committee may place a hold on the release of a stipend payment. <i>[1 O.C. 105.13-5]</i>.
Due Process	<p>Once the Boards, Committees, Commissions Department has certified all applications for appointed positions, delivered the applications to the Oneida Business Committee, and the Oneida Business Committee has held 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, the Oneida Business Committee shall select an applicant for appointment. <i>[1 O.C. 105.7-1]</i>.</p> <p>All appointments shall be made during open session of the Oneida Business Committee. <i>[1 O.C. 105.7-1(d)-(e)]</i>.</p> <p>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. <i>[1 O.C. 105.7-2]</i>.</p> <p>All elected positions shall be nominated at a caucus called by the Oneida Election Board or by applying for ballot placement in accordance with the Nation’s laws or policies governing elections. <i>[1 O.C. 105.8]</i>. All other processes for the election of a member of an entity shall be pursuant to the Nation’s laws or policies governing elections. <i>[1 O.C. 105.8-2]</i>.</p>

	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. [1 O.C. 105.19-4].
Public Meeting	A public meeting will be scheduled to be held on June 11, 2026, with a public comment period held open until June 18, 2026.
Fiscal Impact	A fiscal impact statement prepared in accordance with the Legislative Procedures Act has not been requested.

1 **SECTION 2. LEGISLATIVE DEVELOPMENT**

- 2 A. **Background.** The Boards, Committees, and Commissions Law was originally adopted by the Oneida
3 Business Committee on August 2, 1995, through resolution BC-08-02-95-A. The law was subsequently
4 amended by the Oneida Business Committee on May 14, 1997, through resolution BC-05-14-97-F. The
5 law was emergency amended by the Oneida Business Committee on April 12, 2006, through resolution
6 BC-04-12-06-JJ. The emergency amendments were then permanently adopted by the Oneida Business
7 Committee on September 27, 2006, through resolution BC-09-27-06-E. The law was then amended by
8 the Oneida Business Committee on September 22, 2010, through resolution BC-09-22-10-C and on
9 September 26, 2018, through resolution BC-09-26-18-C. The law was emergency amended by the
10 Oneida Business Committee on March 11, 2020, through resolution BC-03-11-20-B and on March 17,
11 2020, through resolution BC-03-17-20-C. The law was most recently amended by the Oneida Business
12 Committee on August 12, 2020, through resolution BC-08-12-20-B.
- 13 B. **Request for Amendments.** This item was added to the Active Files List on February 7, 2024, at the
14 request of the Oneida Business Committee to address the eligibility of veterans to serve on any and all
15 veteran related committees and to have open eligibility requirements with no exclusions. The sponsor
16 of the Boards, Committees, Commissions law amendments is Councilman Kirby Metoxen.
17

18 **SECTION 3. CONSULTATION AND OUTREACH**

- 19 ■ Representatives from the following departments or entities participated in the development of the
20 amendments to this Law and legislative analysis:
- 21 ■ Oneida Boards, Committees, Commissions Department (“BCC Department”);
 - 22 ■ Oneida Government Administrative Office (“GAO”);
 - 23 ■ Oneida Law Office; and
 - 24 ■ CEO of Nation Services.
- 25 ● The following laws of the Nation were reviewed in the drafting of this analysis:
- 26 ■ Code of Ethics law [1 O.C. 103];
 - 27 ■ Conflict of Interest [2 O.C. 217];
 - 28 ■ Removal Law [1 O.C. 104];
 - 29 ■ Sanctions and Penalties [1 O.C. 120]; and
 - 30 ■ Election Law [1 O.C. 102].
- 31

32 **SECTION 4. PROCESS**

33 A. The amendments to this Law comply with the process set forth in the Legislative Procedures Act.

- 34 ▪ On February 7, 2024, the Legislative Operating Committee added this Law to its Active Files
- 35 List for amendments this legislative term.
- 36 ▪ On March 18, 2026, the Legislative Operating Committee approved the draft of the Boards,
- 37 Committees, and Commissions Law Amendments and directed the Legislative Reference
- 38 Office to complete a Legislative Analysis.
- 39 ▪ On April 15, 2026, the Legislative Operating Committee approved the draft and Legislative
- 40 Analysis to the proposed amendments to the Boards, Committees, and Commissions law.

41 B. At the time this legislative analysis was developed the following work meetings had been held

42 regarding the development of the amendments to this law:

- 43 ▪ February 20, 2024: LOC work meeting with GAO.
- 44 ▪ October 24, 2024: LOC work meeting.
- 45 ▪ February 7, 2025: LOC work meeting with the BCC Department, GAO, the Oneida Law
- 46 Office, and the CEO of Nation Services.
- 47 ▪ May 21, 2025: LOC work meeting with the BCC Department, GAO, the Oneida Law Office,
- 48 and the CEO of Nation Services.
- 49 ▪ September 12, 2025: LOC work meeting with the BCC Department, GAO, and the Oneida
- 50 Law Office.
- 51 ▪ October 27, 2025: LOC work meeting with the BCC Department and GAO.
- 52 ▪ February 3, 2026: LOC work meeting with the BCC Department, GAO, the Oneida Law
- 53 Office, and the CEO of Nation Services.
- 54 ▪ February 26, 2026: LOC work meeting with the BCC Department, GAO, and the Oneida Law
- 55 Office.
- 56 ▪ March 13, 2026: LOC work meeting with the BCC Department when the LOC informally
- 57 approved the draft.

58 C. At the time this legislative analysis was developed the following community event had been held

59 regarding the development of amendments to this law:

- 60 ▪ December 4, 2024: Community Meeting. The Legislative Operating Committee held
- 61 a community meeting in the cafeteria of the Norbert Hill Center to gather input from
- 62 the community on amendments to the Boards, Committees, and Commissions law.

63

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

65 A. *Purpose and Application of the Law.* Overall, the proposed amendments improve the governance of

66 boards, committees, and commissions of the Nation by enhancing the procedural requirements of

67 boards, committees, and commissions to conduct business, manage internal operations, and manage

68 members. [1 O.C 105.1-1; 1 O.C. 105.10; 1 O.C 105.11; 1 O.C. 105.13; 1 O.C. 105.16].

- 69 ▪ *Effect.* The proposed amendments establish clear standards of conduct for appointed and
- 70 elected members and clear standards for the reporting, internal maintenance and management
- 71 of each board, committee, or commission of the Nation which enhances the Nation’s ability to
- 72 self-govern through the use of its boards, committees, and commissions.

- 73 **B. *Enhancing Policy.*** The proposed amendments expand the policy section of this law by making it the
74 policy of the Nation to ensure appointed and elected members reflect the values of the Good Mind. [1
75 *O.C. 105.1-2*].
- 76 ▪ *Effect.* By expanding the policy section to make it a policy of the Nation that appointed and
77 elected members of all entities carry themselves in a way that brings honor to the Oneida people
78 and government, walk with integrity, and uphold the highest standards of ethical conduct as
79 elaborated through principles of the Good Mind, the proposed amendments strengthen the
80 Nation’s ability to ethically and efficiently self-govern through the use of its boards,
81 committees, and commissions and according to its traditional ways.
- 82 **C. *Transition from Business Committee Support Office to BCC Department.*** The proposed amendments
83 clarify the BCC Department, not the Oneida Business Committee Support Office, will be responsible
84 for all administrative responsibilities related to the posting and processing of applications, vacancies,
85 and resignations, managing oaths of office, offboarding procedures, managing official budgetary sign-
86 off for all entities, managing minutes and Standard Operating Procedures, managing records and
87 materials relating to the dissolution of an entity, and providing notice to an appointed member if their
88 stipend is withheld. [1 *O.C. 105.5*; 1 *O.C. 105.6*; 1 *O.C. 105.7*; 1 *O.C. 105.9*; 1 *O.C. 105.10-2*; 1 *O.C.*
89 *105.11-3(b)*; 1 *O.C. 105.11-3(f)*; 1 *O.C. 105.13*; 1 *O.C. 105.18*; 1 *O.C. 105.19*].
- 90 ▪ *Effect.* The proposed amendments clarify the responsibilities of the BCC Department which is
91 the correct Department of the Nation to assist in managing all entities of the Nation.
- 92 **D. *Onboarding and Offboarding Procedures.*** The proposed amendments require all members to
93 complete both onboarding and offboarding procedures. [1 *O.C. 105.10*]. The proposed amendments
94 standardize the expectations of all members before they begin official duties and at the conclusion of
95 their official duties. [*Id.*].
- 96 ▪ *Effect.* The proposed amendments clarify the requirements of all new members to complete
97 before they begin official duties and the requirements when a member leaves an entity which
98 will ensure consistency and appropriate turnover, reinforcing the ability of the Nation to self-
99 govern through the use of its boards, committee, and commissions.
- 100 **E. *Bylaws.*** The proposed amendments clarify various provisions of the requirement for all entities to have
101 bylaws that conform to the requirements of the law. [1 *O.C. 105.11*].
- 102 ▪ All entities shall address travel for training and conferences and shall be in compliance with
103 the Nation’s travel policies. [105.11-3].
 - 104 ▪ All entities shall address Conflict Resolution and Leave of Absences. [1 *O.C. 105.11-3(d)*].
 - 105 ▪ All entities shall include a procedure to withhold a member’s stipend if that member does not
106 meet the requirements, as established in the entity’s bylaws, to collect a stipend. [1 *O.C.*
107 *105.11-3(e)*].
 - 108 ▪ *Effect.* The proposed amendments clarify and strengthen each entity’s ability to establish its
109 own processes and procedures for self-governance in its bylaws which ultimately enhances the
110 Nation’s ability to self-govern through the use of its boards, committees, and commissions.
- 111 **F. *Reporting Requirements.*** The proposed amendments clarify the reporting of meeting minutes and
112 standard operating procedures will be made to the BCC Department. [1 *O.C. 105.13-2*; 1 *O.C. 105.13-*
113 *2*]. The proposed amendments further clarify that rather than the requirement to submit quarterly reports
114 to the Oneida Business Committee, each entity will now be required to submit two reports each fiscal
115 year. [1 *O.C. 105.13-3*].

- 116 ▪ *Effect.* The proposed amendments clarify which Department will assist all entities in filing
117 meeting minutes and standard operating procedures and by reducing the frequency of required
118 reporting will ensure each report reflects substantive accomplishments and goals.
- 119 **G. *Virtual Meetings.*** The proposed amendments clarify all entities may hold virtual meetings if the entity
120 complies with any requirements established by the Oneida Business Committee and any additional
121 requirements established by the entity. [1 O.C. 105.14-8]. The proposed amendments also include four
122 minimum requirements for virtual meetings. [1 O.C. 105.14-8(a)-(d)].
- 123 ▪ *Effect.* The proposed amendment clarifies all entities may hold virtual meetings subject to some
124 conditions. The proposed amendment allows all entities to continue operations despite any
125 unforeseen circumstances which may require virtual meetings.
- 126 **H. *Oneida Email Address.*** The proposed amendments include a new section addressing the creation, use,
127 and management of an official Oneida Nation email address for each member of an entity. [1 O.C.
128 105.15].
- 129 ▪ *Effect.* The proposed amendment clarifies the Nation’s responsibility to create an official
130 Oneida Nation email address and requires all members to use the official Oneida Nation email
131 address to conduct any business of the entity. The proposed amendments clarify both the
132 Nation’s responsibility to create and the Nation’s and all members’ responsibility to use and
133 maintain an official Oneida Nation email address.
- 134 **I. *Standards of Conduct.*** The proposed amendments include a new section addressing various standards
135 of conduct. [1 O.C. 105.16]. The new standards include:
- 136 ▪ good mind;
137 ▪ cultural accountability;
138 ▪ several instances of prohibited conduct;
139 ▪ attendance and meeting conduct;
140 ▪ nepotism;
141 ▪ gifts and honorarium;
142 ▪ fair dealing and impartiality; and
143 ▪ accountability and transparency. [1 O.C. 105.16-1; 1 O.C. 105.16-2; 1 O.C. 105.16-3; 1 O.C.
144 105.16-4; 1 O.C. 105.16-5; 1 O.C. 105.16-6; 1 O.C. 105.16-9; 1 O.C. 105.16-10].
- 145 ▪ The proposed amendments also clarify the requirement to maintain confidentiality. [1 O.C.
146 105.16-7].
- 147 ▪ *Effect.* The proposed amendments strengthen, clarify, and standardize the Nation’s
148 expectations regarding all appointed and elected members of its boards, committees, and
149 commissions.
- 150 **J. *Conflict of Interest.*** The proposed amendments clarify the duty to disclose conflicts of interest, the
151 creation and maintenance of conflict of interest disclosure forms, the development of a conflict of
152 interest mitigation plan, and identifies which individuals may be ineligible to serve on an entity of the
153 Nation. [1 O.C. 105.16-8].
- 154 ▪ *Effect.* The proposed amendments strengthen the Nation’s ability to manage conflict of interest
155 and to protect its interests from any actual or implied or future conflict of interest.
- 156 **K. *Enforcement.*** The proposed amendments clarify the enforcement for all appointed and elected
157 members found to be in violation of the law. [1 O.C. 105.19]. The proposed amendments distinguish
158 appointed and elected members and any enforcement actions that may apply to an appointed member
159 versus an elected member. [1 O.C. 105.19-1; 1 O.C. 105.19-2].

160 ▪ *Effect.* The proposed amendments clarify enforcement mechanisms against any appointed or
161 elected member found to be in violation of the law; thereby, enhancing the Nation’s ability to
162 self-govern by ensuring its appointed and elected members are accountable and can receive
163 enforcement actions if they are found to be in violation of the law.

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

166 **SECTION 6. EXISTING LEGISLATION**

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

- 169 ▪ *Code of Ethics Law.* The Code of Ethics law is currently being amended.
 - 170 ▪ Currently, “[i]t is the policy of the Oneida Tribe of Indians of Wisconsin to
 - 171 promote the highest ethical conduct in all of its elected and appointed officials,
 - 172 and employees. This Code of Ethics represents a beginning, it is the very
 - 173 minimum standard of conduct which is expected. This Code is intended to create
 - 174 a base from which all persons are expected to work upwards and strive to work
 - 175 toward improving the health, safety and welfare of the Oneida Nation, citizens of
 - 176 the Nation, employees of the Tribe, and persons living in and around the
 - 177 jurisdiction of the Oneida Tribe of Indians of Wisconsin.” [1 O.C. 103.1-1].
 - 178 ▪ In the proposed amendments, the purpose of the law will be “to establish clear
 - 179 standards of conduct rooted in the values of the Oneida people, to guide the
 - 180 Oneida Business Committee in serving the Nation with honor and responsibility.
 - 181 These standards reflect the sacred trust between the government and the people,
 - 182 and are intended to promote integrity, uphold the will of the Nation, and preserve
 - 183 the confidence of the Oneida people. In a government founded upon the consent
 - 184 of the people, it is the right of the Oneida to expect loyalty, honesty, and
 - 185 accountability from those who serve.” [1 O.C. 103.1-1].
 - 186 ▪ The proposed amendments to the Code of Ethics law remove its application to
 - 187 appointed and elected members and because of this amendment most Standards
 - 188 of Conduct that were once addressed in the Code of Ethics have been moved to
 - 189 the proposed amendments to the Boards, Committees, and Commissions law as
 - 190 applicable to appointed and elected members. [1 O.C. 105.16].
 - 191 ▪ The proposed amendments align with the proposed amendments to the Code of
 - 192 Ethics law by streamlining the Nation’s ability to monitor and establish standards
 - 193 regarding the behavior of its appointed and elected members.
- 194 ▪ *Conflict of Interest Law.* The Conflict of Interest law is currently being amended.
 - 195 ▪ Currently, “[t]he purpose of this law is for the Nation to ensure that all employees,
 - 196 contractors, elected officials, officers, political appointees, appointed and elected
 - 197 members and all others who may have access to information or materials that are
 - 198 confidential or may be used by competitors of the Nation’s enterprises or interests
 - 199 be subject to specific limitations to which such information and materials may be
 - 200 used in order to protect the interests of the Nation.” [2 O.C. 217.1-1].
 - 201 ▪ In the proposed amendments, the amended purpose of the law will remove
 - 202 elected officials and appointed and elected members and only be for the purpose

- 203 of ensuring all employees, contractors, political appointees, and all others who
204 may have access to information or materials that are confidential or may be used
205 by competitors of the Nation's enterprises or interests be subject to specific
206 limitations to which such information and materials may be used in order to
207 protect the interests of the Nation." *[Id]*.
- 208 ■ The proposed amendments change the application of the conflict of interest law
209 and remove the coverage of appointed and elected members. *[2 O.C. 217.4-1]*.
 - 210 ■ While appointed and elected members are being removed from the Conflict of
211 Interest law, the provisions regarding conflicts of interest in the Boards,
212 Committees, and Commissions law are being strengthened. *[1 O.C. 105.16-8]*.
 - 213 ■ The proposed amendments align with proposed amendments to the Conflict of
214 Interest law by streamlining the Nation's ability to monitor and enforce conflict
215 of interests. The proposed amendments to this law strengthen the Nation's ability
216 to monitor conflict of interest as applicable solely to members of boards,
217 committees, and commissions.
- 218 ■ *Removal Law.* The purpose of the Removal law is to govern the removal of persons elected to
219 serve on boards, committees, and commissions of the Oneida Nation. *[1 O.C. 104.1-1]*.
 - 220 ■ The Removal law contains various grounds for removal including:
 - 221 ■ failure to attend four (4) regularly scheduled meetings without a written
222 explanation;
 - 223 ■ failure to attend fifty percent (50%) of an entity's regular scheduled
224 meetings within a twelve (12) month period for any reason provided that
225 this subsection shall not apply to the Oneida Business Committee;
 - 226 ■ intentional misuse of Tribal funds;
 - 227 ■ alcohol use while performing official responsibilities or use of illegal
228 drugs at any time;
 - 229 ■ if he or she no longer meets the qualifications for office;
 - 230 ■ violating a Tribal law which specifies removal as a penalty; or
 - 231 ■ felony conviction while in office. *[1 O.C. 104.4]*.
 - 232 ■ The Removal law contains a procedure for removing an appointed or elected
233 member. *[1 O.C. 104.5; 1 O.C. 104.6; 1 O.C. 104.7; 1 O.C. 104.8]*.
 - 234 ■ The proposed amendments to the Boards, Committees, and Commissions law
235 align with the Removal law by deferring to its standards and procedures for the
236 removal of an elected member and allowing any elected member found to be in
237 violation of the Boards, Committees, and Commissions law to potentially face
238 removal according to the standards of the Removal Law.
 - 239 ■ *Sanctions and Penalties Law.* There is no currently adopted Sanctions and Penalties Law. To
240 complete this legislative analysis, the proposed law was reviewed. Most recently, on April 15,
241 2026, the Oneida Business Committee approved a draft to send to the General Tribal Council
242 for consideration. The Oneida Business Committee also attempted to gain General Tribal
243 Council approval of the draft on January 5, 2026, when the Oneida Business Committee
244 presented the approved draft to the General Tribal Council for adoption. The General Tribal
245 Council did not vote to adopt the law; therefore, the Oneida Business Committee has again
246 approved a draft and will again present that draft to the General Tribal Council for approval

247 and adoption. The Legislative Operating Committee and the Oneida Business Committee
248 plan to continue addressing the adoption of a Sanction and Penalties law with the General
249 Tribal Council; therefore, amendments to the Boards, Committees, and Commissions law
250 keep reference to a Sanction and Penalties Law, and in preparing this legislative analysis the
251 proposed draft was reviewed and considered.

- 252 ▪ The purpose of a Sanctions and Penalties law would be to address the misconduct
253 and promote accountability and improved performance of the official, to
254 establish a consistent set of sanctions and penalties that may be imposed upon
255 elected officials of the Nation for misconduct in office in order to provide an
256 opportunity for the official to take corrective action. [1 O.C. 120.1-1].
- 257 ▪ Rather than include a new section on sanction and penalties in the Boards,
258 Committees, Commissions law, it is the Legislative Operating Committee’s and
259 the Oneida Business Committee’s belief that addressing sanctions and penalties
260 in one law is in the best interests of the Nation and will provide the Nation a
261 standardized process and procedure to hold accountable all individuals who are
262 appointed or elected; thereby enhancing the Nation’s self-governance.
- 263 ▪ *Election Law.* It is the intent of the Election law to govern the procedures for the conduct of
264 orderly elections of the Nation, including pre-election activities such as caucuses and
265 nominations. [1 O.C. 102.1-1].
 - 266 ▪ The election law contains the requirements to conduct elections of the Nation
267 including the election for elected members of boards, committees, or
268 commissions. [1 O.C. [1]02.6; 102.9].
 - 269 ▪ The proposed amendments to the Boards, Committees, and Commissions law
270 align with the Election law by citing to its requirements and requiring all
271 elections for elected members of a board, committee, or commission align with
272 its requirements.

274 SECTION 7. ENFORCEMENT AND ACCOUNTABILITY

- 275 A. Amendments to the Boards, Committees, Commissions law enhance the enforcement mechanisms
276 required of each board, committee, or commission to include in their bylaws. [1 O. C 105.11].
- 277 B. Amendments to the Boards, Committees, Commissions law clarify the reporting requirements of each
278 board, committee, or commission to submit at least two reports, rather than quarterly reports, to the
279 Oneida Business Committee. [1 O.C. 105.13-3].
- 280 C. Amendments to the Boards, Committees, and Commissions law enhance the behavioral expectations of
281 appointed and elected members by adding a new section regarding Standards of Conduct. [1 O.C.
282 105.16].
- 283 D. Amendments to the Boards, Committees, Commissions law clarify enforcement provisions relating to
284 the activity and functioning of a board, committee, or commission, and the conduct of individual
285 members by strengthening the provisions of the enforcement section. [1 O.C. 105.19].

287 SECTION 8. OTHER CONSIDERATIONS

- 288 A. *Fiscal Impact.* Under the Legislative Procedures Act, a fiscal impact statement is required for all
289 legislation except emergency legislation [1 O.C. 109.6-1]. Oneida Business Committee resolution BC-

290 10-28-20-A titled, “*Further Interpretation of ‘Fiscal Impact Statement’ in the Legislative Procedures*
291 *Act,*” provides further clarification on who the Legislative Operating Committee may direct complete
292 a fiscal impact statement at various stages of the legislative process, as well as timeframes for
293 completing the fiscal impact statement.

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

Title 1. Government and Finances – Chapter 105
Laotiyansh&ha k<tyohkway<=t&=se>
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. Electronic Polling
105.13. Reporting Requirements
105.14. Stipends, Reimbursement and Compensation
105.15. Official Oneida Nation Email Address
105.16. Standards of Conduct
Confidential Information
Conflicts of Interest
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 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.

33 **105.2. Adoption, Amendment, Repeal**

34 105.2-1. This law was adopted by the Oneida Business Committee by resolution BC-05-14-97-F
35 and amended by resolutions BC-09-27-06-E, BC-09-22-10-C, BC-09-26-18-C, ~~and BC-08-12-~~
36 ~~20-B, and BC- - - - -~~.

37 105.2-2. This law may be amended or repealed by the Oneida Business Committee or the
38 General Tribal Council pursuant to the procedures set out in the Legislative Procedures Act.

39 105.2-3. Should a provision of this law or the application thereof to any person or circumstances
40 be held as invalid, such invalidity shall not affect other provisions of this law which are
41 considered to have legal force without the invalid portions.

42 105.2-4. In the event of a conflict between a provision of this law and a provision of another law,
43 the provisions of this law shall control.

44 105.2-5. This law is adopted under authority of the Constitution of the Oneida Nation.
45

46 **105.3. Definitions**

47 105.3-1. This section shall govern the definitions of words and phrases used within this law. All
48 words not defined herein shall be used in their ordinary and everyday sense.

49 (a) "Application" means the form by which a person seeks to be appointed to fill a
50 vacancy on an entity.

51 (b) "Appointment" means the process by which a person is chosen to fill a vacancy on an
52 entity by the Oneida Business Committee.

53 (c) "BCC Department" means the Boards, Committees, and Commissions Department.

54 (d) "Business day" means Monday through Friday from 8:00 a.m. to 4:30 p.m., excluding
55 holidays recognized by the Nation.

56 (e) "Bylaws" means a document which provides a framework for the operation and
57 management of a board, committee, or commission of the Nation chiefly for the
58 government of its members and the regulation of its affairs.

59 (f) "Conference" means any training, seminar, meeting, or other assembly of individuals
60 persons which is not an assembly of the entity.

61 (g) "Confidential information" means all information or data, whether printed, written,
62 or oral, concerning business or customers of the Nation, disclosed to, acquired by, or
63 generated by a member of an entity in confidence at any time during their appointed or
64 elected elected or appointed term or during their employment.

65 (h) "Conflict of interest" means any financial, personal, or political interest, actual or
66 implied real or apparent, whether it be personal, financial, political, or otherwise, in
67 which an appointed or elected member or any member of their immediate family official,
68 officer, political appointee, employee, contractor, or appointed or elected member, or
69 their immediate family members, friends or associates, or any other person with whom
70 they have contact, have that conflicts with any right of the Nation to property,
71 information, or any other right to own and operate activities free from undisclosed
72 competition or other violation of such rights of the Nation or to any transaction between
73 the Nation and an outside party. In addition, conflict of interest also means any financial
74 or familial interest an elected official, officer, political appointee, employee, contractor,
75 or appointed or elected member or their immediate family members may have in any
76 transaction between the Nation and an outside party.

77 (i~~h~~) "Direct report" means a position which requires direct contact and supervision by the
78 Oneida Business Committee because of the position, the duties, or the services provided.
79 Direct reports shall be identified by the Oneida Business Committee through resolution.

80 (j~~i~~) "Entity" means a board, committee or commission created by the General Tribal
81 Council or the Oneida Business Committee whose members are appointed by the Oneida
82 Business Committee or elected by the Nation's membership.

83 (k~~j~~) "E-poll" means an electronic poll, which is the act of delivering an e-mail to all
84 ~~officials~~ ~~members~~ of an entity, in order to seek a response which identifies a vote in favor
85 of, opposing, or abstaining to an issue requiring approval by the entity.

86 (l~~k~~) "Fiscal year" means the one (1) year period each year from October 1st to September
87 30th.

88 (m) "Joint meeting" means a meeting with the Oneida Business Committee.

89 (n~~j~~) "Letter" means a written or printed message addressed to a specific person or
90 organization; for the purposes of this law, a letter can be on paper or sent electronically.

91 (o) "Member" means all individuals who are appointed or elected to serve on a board,
92 committee, or commission created by the Oneida Business Committee or the Oneida
93 General Tribal Council.

94 (p) "Nation" means the Oneida Nation.

95 (q~~m~~) "Per ~~d~~Diem" means the payment made by the Nation to offset the costs of being on
96 travel on behalf of the ~~Oneida~~ Nation.

97 (n) "~~Political appointee" means a person appointed by a member of the Oneida Business~~
98 ~~Committee to provide assistance with the Oneida Business Committee member's daily~~
99 ~~activities and operations.~~

100 (r~~e~~) "Political appointee" means a person who assists an elected member of the Oneida
101 Business Committee in their daily activities and operations.

102 (s) "Prohibited drugs" means marijuana, cocaine, opiates, amphetamines, phencyclidine
103 (PCP), hallucinogens, methaqualone, barbiturates, narcotics, and any other substance
104 included in Schedules I through V, as defined by Section 812 of Title 21 of the United
105 States Code. This also includes prescription medication or over-the-counter medicine
106 used in an unauthorized or unlawful manner.

107 (p) (t) "Secretary" means the person elected and serving as the Nation's Secretary; an
108 officer position of the Oneida Business Committee.

109 (u) "Stipend" means the amount paid by the ~~Oneida~~ Nation to a person serving on a
110 board, committee, or commission of the Nation in order to compensate the individual for
111 ~~his or her~~ their contribution of time, effort, and work for ~~his or her~~ their board, committee,
112 or commission for the betterment of the Nation.

113 (v~~q~~) "Subcommittee" means a subgroup of an entity; which is comprised of fewer than all
114 members of the entity; which is designated one (1) or more specific responsibilities on
115 behalf of the entity.

116 (w~~f~~) "Substantiated complaint" means a complaint or allegation in a complaint that was
117 found to be valid by clear and convincing evidence.

118 (x~~s~~) "Task Force or Ad Hoc" means a group of ~~individuals~~ ~~persons~~ gathered to pursue a
119 single goal, the accomplishment of which means the disbanding of the group. The goal is

120 generally accomplished in a short time period, i.e. less than one year, but the goal itself
121 may be long term.

122 (y) "Vacancy" means any position on any board, committee, or commission caused by
123 resignation, end of term, removal, termination, or creation of a new position.

124 125 **105.4. Creation of an Entity**

126 105.4-1. An entity of the Nation shall be created by a resolution or law adopted by the Oneida
127 Business Committee or General Tribal Council.

128 105.4-2. The law or resolution establishing the entity shall state the purpose of the entity and all
129 powers and responsibilities delegated to the entity.

130 105.4-3. The Oneida Business Committee or designee shall be responsible for drafting the initial
131 bylaws of the entity.

132 105.4-4. The Oneida Business Committee shall be responsible for approving ~~drafting~~ the initial
133 bylaws of the entity.

134 135 **105.5. Applications**

136 105.5-1. The BCC Department ~~Oneida Business Committee~~ shall approve all applications to
137 serve on an entity of the Nation. All application materials shall be available in ~~the Business~~
138 ~~Committee Support Office~~ any location identified by, or in the offices of, the BCC Department
139 and any other location specified by the Business Committee Support Office.

140 (a) All applications shall include:

141 (1) a statement explaining the attendance reporting requirements of section
142 105.13~~2~~-3; and

143 (2) a section regarding disclosures of conflicts of interest.

144 (b) An additional application form shall be required for those entities that require a
145 background investigation. This background investigation application shall include the
146 applicant's social security number and any other information required for a background
147 investigation. The background investigation application shall be solely used for the
148 background investigation and not included in the application materials that are then
149 shared with the Oneida Business Committee, entity, ~~and~~ or the Election Board.

150 105.5-2. Applications shall be filed with the ~~Business Committee Support Office~~ BCC
151 Department by 4:30 p.m. of the deadline date.

152 105.5-3. Within eight (8) business days after the posted deadline for filing applications, the
153 ~~Business Committee Support Office~~ BCC Department shall notify all individuals ~~persons~~ who
154 have filed an application of the date ~~his or her~~ their application was received and if ~~his or her~~ their
155 application met the deadline to be considered for the election or appointment.

156 105.5-4. Applications for elected positions shall be verified according to the Nation's laws,
157 bylaws, ~~and~~ or policies governing elections. Applications for appointed positions shall be
158 verified by the ~~Business Committee Support Office~~ BCC Department as needed or as required in
159 the bylaws of the entity.

160 105.5-5. *Insufficient Applicants.* In the event that there are an insufficient number of applicants
161 after the deadline ~~date~~ has passed for appointed positions, the ~~Business Committee Support~~
162 ~~Office~~ BCC Department may repost ~~for an additional time period.~~

163 (a) If the number of applicants is equal to or less than the number of vacancies then it
164 shall be determined to be an insufficient number of applicants.

165 (b) The ~~Business Committee Support Office~~BCC Department shall notify the Oneida
166 Business Committee if a position will be reposted, ~~for an additional time period.~~

167 (c) In the event of reposting, prior applicants will be considered to have filed applications
168 within the deadline period.

169 (d) The Oneida Business Committee may ~~elect to~~ consider include ~~late applicants. within~~
170 ~~the pool of appointed persons late applications.~~

171 ~~The manner by which an individual fills a vacancy, either through election or appointment, shall~~
172 ~~determine that member's status as an appointed or official, despite the entity's classification as an~~
173 ~~appointed or elected entity pursuant to the entity's bylaws.~~

174 175 **105.6. Vacancies**

176 105.6-1. The manner by which an individual fills a vacancy, either through appointment or
177 ~~election, or appointment,~~ shall determine that member's status as an appointed or elected official,
178 despite the entity's classification as an appointed or elected entity pursuant to the entity's bylaws.

179 105.6-2. A position on an entity shall be considered vacant in the following situations:

180 (a) *End of Term.* A vacancy is effective as of 4:30 p.m. of the last day of the month in
181 which the term ends.

182 (1) Although a position is considered vacant once the term ends, the member of
183 the entity may remain in office until the member's successor has been sworn in by
184 the Oneida Business Committee, provided that the position may not be held by the
185 predecessor for longer than sixty (60) business days, in an effort to prevent a
186 discontinuation of business or a loss of quorum for the entity.

187 (b) *Removal.* Removal is effective, pursuant to any law ~~and~~/or policy of the Nation
188 regarding removal.

189 (c) *Termination of Appointment.* A termination is effective upon a two-thirds (2/3)
190 majority vote of the Oneida Business Committee in favor of a member's termination of
191 appointment.

192 (d) *Resignation.* A resignation is effective upon:

193 (1) ~~D~~eliverance of a letter to the ~~Business Committee Support Office~~BCC
194 Department and to the Chairperson of the entity, or designee; or

195 (2) ~~A~~acceptance by motion of the entity of a verbal resignation; and

196 (3) certification and acceptance by the Secretary.

197 (e) *New Positions.* Vacancies on new entities are effective upon adoption of bylaws.

198 105.6-3. An entity shall notify the ~~Business Committee Support Office~~BCC Department as soon
199 as the entity learns that a position has or will become vacant. All notices of vacancy shall be sent
200 to the entities for clarification or confirmation prior to notification to the Oneida Business
201 Committee.

202 105.6-4. The ~~Business Committee Support Office~~BCC Department shall forward the notice of
203 vacancy to the Secretary. The Secretary shall request and receive approval from the Oneida
204 Business Committee to post the notice of vacancy. The ~~Business Committee Support Office~~BCC
205 Department shall post notice of vacancies at the following times:

206 (a) *End of Term.* Automatically sixty (60) days prior to completion of the term.

207 (b) *Removal*. No later than the next Oneida Business Committee meeting following the
208 effective date of the removal.

209 (c) *Resignation*. No later than the next Oneida Business Committee meeting following
210 the ~~Business Committee Support Office~~BCC Department's receipt of notice of an
211 effective resignation from the entity.

212 (d) *New Positions*. Upon one of the following conditions:

213 (1) if not specified, immediately upon the creation of an entity or the adoption of
214 bylaws, whichever is later, or

215 (2) upon the date specified when creating the entity.

216 (e) *Termination of appointment*. No later than the next Oneida Business Committee
217 meeting following the effective date of the termination.

218 105.6-5. Notice of vacancies shall be posted by the ~~Business Committee Support Office~~BCC
219 Department in all official media outlets of the Nation, as determined by the Oneida Business
220 Committee, as well as any other location deemed appropriate by the Secretary.

221 **105.7. Appointment to an Entity**

222 105.7-1. *Appointment Selection*. The following procedures shall be used to determine how the
223 applicant for an appointed position is selected:

224 (a) Within eight (8) business days after the posted deadline for submitting an application,
225 or within twenty-one (21) business days of the posted deadline if the entity requires a
226 background investigation to be completed as part of the application process, the ~~Business~~
227 ~~Committee Support Office~~BCC Department shall:

228 (1) deliver all applications, along with a summary of qualifications to hold office,
229 and the results of the background investigation if required, to each member of the
230 Oneida Business Committee as well as the entity's Chairperson; and

231 (2) place the appointment for the entity on the next executive session portion of
232 the agenda of a regular or special Oneida Business Committee meeting in which
233 the appointment is intended to be made; or

234 (3) if delays in compiling the applications, summary of qualifications, or results of
235 any investigations exist, request additional time from the Oneida Business
236 Committee to complete requirements of section 105.7-1(a)(1)-(2).

237 (b) Each member of the Oneida Business Committee shall review the application
238 materials prior to executive session and be prepared to discuss and select an applicant for
239 appointment.

240 (1) The entity's Chairperson may review the application materials and submit a
241 recommendation to the ~~Business Committee Support Office~~BCC Department to
242 include in the application materials to be reviewed by a recommendation to the
243 Oneida Business Committee. ~~of an applicant for appointment.~~

244 (A) The recommendation shall be submitted to the ~~Business Committee~~
245 ~~Support Office~~BCC Department in accordance with the submission
246 deadlines for the Oneida Business Committee meeting in which the
247 appointment is intended to be made.

248 (c) The Oneida Business Committee shall have a full and complete discussion of the
249 merits and qualifications of the potential applicants, and any recommendations made by
250

251 the Chairperson of the entity, during executive session. After completing a thorough
252 discussion, the Oneida Business Committee shall:

253 (1) select an applicant for appointment; or

254 (2) ask the ~~Oneida Nation's~~ Secretary to re-notice the vacancy because of
255 ineligible, unqualified, or under qualified applicants.

256 (d) All appointments shall be made by the Oneida Business Committee during the open
257 session of a regular or special Oneida Business Committee meeting. The Oneida Business
258 Committee shall not appoint an applicant who fails to meet the requirements set out in the
259 entity's bylaws.

260 (e) During the open session of the regular or special Oneida Business Committee
261 meeting, a member of the Oneida Business Committee may make a motion to appoint an
262 individual. Oneida Business Committee members may:

263 (1) accept the selected applicant and vote to appoint the individual to the vacant
264 position; or

265 (2) reject the selected applicant and vote to oppose the appointment ~~of the~~
266 ~~individual.~~

267 (f) If the Oneida Business Committee rejects the selected applicant, the matter will be
268 deferred to the next Oneida Business Committee meeting where another applicant may be
269 recommended by the Oneida Business Committee, or the Oneida Business Committee
270 may direct the vacancy to be re-posted. When a vacancy is re-posted under this section,
271 all applications from the first posting shall be considered to have been filed within the
272 deadline period.

273 105.7-2. *Notification of Appointment.* Once an individual is selected for appointment at an
274 Oneida Business Committee meeting, the ~~Nation's~~ Secretary shall notify all applicants of the
275 final status of their application.

276 ~~(a) The Nation's Chairperson shall forward a list of all applicants to the Nation's~~
277 ~~Secretary and the final decision regarding the selection after the procedures for selection~~
278 ~~of an applicant described in section 105.7-1 are completed.~~

279 ~~(a)~~ The ~~Nation's~~ Secretary shall include on the notice to the applicant selected for
280 appointment the following paragraph: "The Oneida Nation reports all income paid by the
281 Oneida Nation in whatever form. The Internal Revenue Service of the United States
282 considers stipends paid to members of boards, committees, and commissions to be
283 income which may be offset by expenses related to that income. You will receive an
284 income report which is also forwarded to the Internal Revenue Service, it is also your
285 responsibility to keep documentation of expenses related to this income."

286 105.7-3. *Declination of Appointment.* An individual who has been selected for appointment to an
287 entity by the Oneida Business Committee may decline the appointment.

288 (a) An individual may decline an appointment to an entity in the following ways:

289 (1) delivery of a letter to the BCC Department stating that the individual wishes to
290 decline the appointment ~~to the Business Committee Support Office~~; or

291 (2) failure to take the oath of office within thirty (30) days or within two (2)
292 regularly scheduled Oneida Business Committee meetings of being selected for
293 appointment by the Oneida Business Committee.

294 (b) The ~~Business Committee Support Office~~BCC Department shall notify the Oneida
295 Business Committee if an individual declines an appointment to an entity. The Oneida
296 Business Committee shall then use the original pool of applications for the vacancy
297 posting and the process outlined in section 105.7-1 to select another applicant for
298 appointment.

299 105.7-4. *Termination of Appointment.* An appointed member of an entity serves at the discretion
300 of the Oneida Business Committee. Upon the recommendation of a member of the Oneida
301 Business Committee or the entity, a member of an appointed entity may have ~~his or her~~their
302 appointment terminated by the Oneida Business Committee.

303 (a) A two-thirds majority vote of the Oneida Business Committee shall be required in
304 order to terminate the appointment of an individual.

305 (b) The Oneida Business Committee's decision to terminate an appointment is final and
306 not subject to appeal.

307 308 **105.8. Election to an Entity**

309 105.8-1. All elected positions shall be nominated at a caucus called by the Oneida Election
310 Board, or apply for ballot placement, in accordance with the Nation's laws ~~and~~/or policies
311 governing elections, except where an entity's bylaws allow for a vacancy to be filled by
312 appointment.

313 (a) When the Election Board notifies an applicant or nominee that ~~they are~~ ~~he or she is~~
314 eligible to be placed on the ballot, the following paragraph shall be included: "The
315 Oneida Nation reports all income paid by the Nation in whatever form. The Internal
316 Revenue Service of the United States considers stipends paid to members of boards,
317 committees, and commissions to be income which may be offset by expenses related to
318 that income. You will receive an income report which is also forwarded to the Internal
319 Revenue Service, it is also your responsibility to keep documentation of expenses related
320 to this income."

321 105.8-2. All other processes for the election of a member of an entity shall be pursuant to as
322 ~~directed by~~ the Nation's laws ~~and~~/or policies governing elections.

323 324 **105.9. Oath of Office**

325 105.9-1. All appointed and elected positions are official upon taking an oath during a regular or
326 special Oneida Business Committee meeting, or at an alternative time and location as determined
327 by the Secretary. All rights and delegated authorities of membership in the entity shall vest upon
328 taking the oath. The ~~Nation's~~ Secretary shall notify the chosen individuals ~~persons~~ when they
329 shall appear for taking the oath.

330 (a) When taking an oath, the appointed or elected member shall appear in person to take
331 ~~his or her~~their oath, except if granted permission by the Secretary to appear through video
332 conferencing, or through other telecommunications.

333 (b) If an oath is administered outside of an Oneida Business Committee meeting, a
334 quorum of Oneida Business Committee members shall be present to witness the oath.

335 105.9-2. The Oneida Business Committee shall approve wording of oaths. Any revisions of oaths
336 shall be approved by the Oneida Business Committee prior to usage. Oaths shall be kept on file
337 by the ~~Business Committee Support Office~~BCC Department.

338 105.9-3. Originals of the signed oath, or electronic copies of the originals of the signed oath,
339 shall be maintained by the ~~Business Committee Support Office~~BCC Department. Copies of the
340 oath shall be forwarded to the new member of the entity and the entity.

341 105.9-4. The following oath is the standard oath to be used unless a specific oath for the entity is
342 pre-approved by the Oneida Business Committee: “I, [name], hereby promise to uphold the laws
343 and regulations of the Oneida Nation, the General Tribal Council, and the Oneida Nation
344 Constitution. I will perform my duties to the best of my ability and on behalf of the Oneida
345 people with honor, respect, dignity, and sincerity and will strictly maintain confidential
346 information. I will carry out the duties and responsibilities as a member of the [entity name], and
347 all recommendations shall be made in the best interest of the Oneida Nation as a whole.”

348 105.9-5. All oaths shall be sufficient to make the appointed or elected member of an entity aware
349 of their duty to the Nation and as members of the entity.

350

351 **105.10. Other Responsibilities**

352 105.10-1. Onboarding. Before a new member begins performing their duties and in addition to
353 taking the oath of office, the new member must complete the entity’s onboarding requirements in
354 accordance with an approved standard operating procedure. This procedure shall include, but is
355 not limited to the following:

356 (a) Conflict of Interest.

357 (b) Confidentiality Agreement.

358 (c) Training:

359 (1) Regarding the Nation and the State of the Nation, in general. Such training
360 may include, but will not be limited to, the Nation’s Economic Impact Statement,
361 organizational chart, and government goals and vision.

362 (2) Regarding the training required by the specific entity’s bylaws.

363 (3) Regarding human resources as determined by the Nation’s Human Resources
364 Department to the extent that entity directly supervises employees of the Nation.

365 105.10-2. Offboarding. When a member leaves an entity that member and the BCC Department
366 or the Government Administrative Office shall be responsible for ensuring the member
367 completes offboarding in accordance with an approved standard operating procedure. The
368 offboarding procedure may include, but is not limited to:

369 (a) Transition of assigned duties and responsibilities.

370 (b) Return of equipment.

371 (c) De-activation of email, identification card, and access card.

372 (d) Exit interview or survey.

373

374 **105.11. Bylaws**

375 105.11-1. All entities of the Nation shall have bylaws that conform to the requirements of this
376 law. Bylaws shall become effective upon approval of the Oneida Business Committee, unless
377 ~~where~~ General Tribal Council approval is additionally required.

378 (a) All existing entities shall comply with this format and present bylaws for adoption
379 within a reasonable time after creation of the entity, or within a reasonable time after
380 adoption or amendment of this law.

381 (b) Bylaws shall contain at least the minimum information required by law, although
382 more information is not prohibited.
383 (c) *Exception.* Task Forces and Ad Hoc Committees are excepted from the requirement to
384 have bylaws. However, these entities shall have, at minimum, mission or goal statements
385 for completion of the task.

386 105.110-2. *Articles.* Bylaws shall contain, at a minimum, the following Articles:

- 387 (a) Article I. Authority.
- 388 (b) Article II. Officers.
- 389 (c) Article III. Meetings.
- 390 (d) Article IV. Expectations.
- 391 (e) Article V. Stipends and Compensation.
- 392 (f) Article VI. Records and Reporting.
- 393 (g) Article VII. Amendments.

394 105.110-3. *Sections.* Articles shall be divided into the following "Sections" as set out.

- 395 (a) "Article I. Authority" shall consist of the following:
 - 396 (1) *Name.* The full name of the entity shall be stated, along with any short name
397 that will be officially used.
 - 398 (2) *Establishment.* This section shall state the citation and name, if any, of the
399 creation document.
 - 400 (3) *Authority.* This section shall state the purpose for which the entity was created
401 and what, if any, authority the entity is delegated.
 - 402 (4) *Office.* There shall be listed the official office or post box of the entity.
 - 403 (5) *Membership.* The following information shall be in this section:
 - 404 (A) Number of members on the entity;
 - 405 (B) If members on the entity are appointed or elected ~~or appointed~~, and
406 how a member is appointed or elected ~~or appointed~~;
 - 407 (C) How vacancies are filled; and
 - 408 (D) Qualifications for membership on the entity.
 - 409 (i) In order to qualify for membership on an entity, a person shall
410 meet the minimum age requirements set forth for status as a
411 qualified voter of the Nation, unless a law, policy, or directive sets
412 forth a minimum age requirement.
 - 413 (6) *Termination or Removal.* This section shall identify causes for termination or
414 removal, if any, in addition to those already identified in laws ~~and~~ or policies of
415 the Nation.
 - 416 (7) *Trainings and Conferences.* This section shall address travel for training and
417 conferences. Travel for training and conferences is allowable in accordance with
418 the Nation's travel policies. All entities shall be in compliance with the Nation's
419 travel policies. ~~describe any trainings and/or conferences that the entity deems~~
420 ~~necessary for members to responsibly serve the entity, if any.~~
- 421 (b) "Article II. Officers" shall consist of the following:
 - 422 (1) *Chairperson and Vice-Chairperson.* This section creates the eChairperson and
423 vVice-eChairperson positions of the entity. Other officer positions may also be
424 created here.

425 (2) *Responsibilities of the Chairperson.* Because of the importance of this
426 position, all duties and responsibilities of the eChairperson, as well as limitations
427 of the eChairperson shall be specifically listed here.

428 (3) *Responsibilities of the Vice-Chairperson.* Because of the importance of this
429 position, all duties and responsibilities of the vVice-eChairperson, as well as
430 limitations of the vVice-eChairperson shall be specifically listed here.

431 (4) *Responsibilities of Additional Officers.* There may be additional sections as
432 needed for every officer position created in subsection one (1) above. These
433 sections shall state all duties and responsibilities of the officer, as well as any
434 limitations of the officer.

435 (5) *Selection of Officers.* This section shall identify how a member of the entity
436 shall be selected for an official officer position in the entity.

437 (6) *Purchases and Travel.* This section shall identify how the entity shall approve
438 purchases or travel on behalf of the entity.

439 (A) An entity shall follow the Nation's policies and procedures regarding
440 purchasing and sign-off authority.

441 (B) Upon formal approval of a purchase by an entity, the Business
442 Committee Support Office BCC Department shall have official budgetary
443 sign off authority for the entity.

444 (C) An entity shall approve a member's request to travel on behalf of the
445 entity by majority vote at a regular or emergency meeting of the entity.

446 (7) *Personnel.* This section shall state the entity's authority for hiring personnel, if
447 any, and the duties of such personnel.

448 (c) "Article III. Meetings" shall consist of the following:

449 (1) *Regular meetings.* This section shall identify when and where regular
450 meetings shall be held, and how the entity shall provide notice of the meeting
451 agenda, documents, and minutes.

452 (2) *Emergency meetings.* This section shall identify what constitutes an
453 emergency meeting, how emergency meetings shall be called, and how the entity
454 shall provide notice of the emergency meeting.

455 (A) All bylaws shall include a provision requiring that within seventy-two
456 (72) hours after an emergency meeting, the entity shall provide the
457 Nation's Secretary with notice of the meeting, the reason for the
458 emergency meeting, and an explanation of why the matter could not wait
459 for a regular meeting.

460 (3) *Joint Meetings.* This section shall identify if joint meetings shall be held, the
461 frequency and location of joint meetings, and how the entity shall provide notice
462 of the meeting agenda, documents, and minutes.

463 (4) *Quorum.* This section shall identify how many members of an entity create a
464 quorum.

465 (5) *Order of Business.* This section sets out how the agenda will be set up.

466 (6) *Voting.* This section shall identify voting requirements, such as, but not limited
467 to:

468 (A) the percentages that shall be needed to pass different items;

- 469 (B) if, and when, the eChairperson is allowed to vote;
470 (C) if the use of an e-poll is permissible; and
471 (D) if the use of an e-poll is permissible, who will serve as the
472 Chairperson's designee for the responsibility of conducting an e-poll, if a
473 designee is utilized.

474 (d) "Article IV. Expectations" shall consist of the following information:

475 (1) *Behavior of Members*. This section shall identify the behavioral expectations
476 and requirements of a member of the entity required by this law and any
477 additional expectations and requirements specific to the entity; and identify how
478 the entity shall enforce these behavioral expectations.

479 (2) *Prohibition of Violence*. This section shall prohibit any violent, intentional act
480 committed by a member of the entity that inflicts, attempts to inflict, or threatens
481 to inflict emotional or bodily harm on another person, or damage to property, and
482 set forth any further expectations regarding the prohibition of violence.

483 (3) *Drug and Alcohol Use*. This section shall prohibit the use of alcohol and
484 prohibited drugs for a member of an entity when acting in their official capacity;
485 and set forth any further expectations regarding the use of prohibited drugs and
486 alcohol.

487 (4) *Social Media*. This section shall identify expectations for the use of social
488 media regarding in regards to official business of the entity.

489 (5) *Conflict of Interest*. This section shall state any standards and expectations
490 additional to those required by this law of the Nation regarding in regards to
491 conflicts of interest and how they are handled, as well as requirements related to
492 prohibited activities resulting from disclosed conflicts of interest, and means by
493 which a party can alleviate or mitigate the conflict of interest.

494 (6) Conflict Resolution. This section shall address how the entity will handle
495 conflict resolution. At a minimum, the entity's procedures and requirements for
496 conflict resolution shall conform to any policy of the Nation's Human Resources
497 Department.

498 (7) Leave of Absence. This section shall address leave of absence, at a minimum,
499 as it is allowed to employees of the Nation pursuant to policies of the Nation's
500 Human Resources Department.

501 (e) "Article V. Stipends and Compensation" shall consist of the following information:

502 (1) *Stipends*. This section shall include a comprehensive list of all stipends
503 members are eligible to receive and the requirements for collecting each stipend,
504 if any, in addition to those contained in this law. This section shall also include the
505 procedure to withhold a member's stipend if a member does not meet the
506 identified requirements needed to collect each stipend.

507 (2) *Compensation*. This section shall include details regarding all other forms of
508 compensation members are eligible to receive and the requirements for collecting
509 such compensation, if any, in addition to those contained in this law.

510 (f) "Article VI. Records and Reporting" shall consist of the following information:

511 (1) *Agenda Items*. Agenda items shall be maintained in a consistent format as
512 identified by this section.

513 (2) *Minutes*. Minutes shall be typed and in a consistent format designed to
514 generate the most informative record of the meetings of the entity. This may
515 include a summary of action taken by the entity. This section shall identify the
516 format for minutes, and a reasonable timeframe by which minutes shall be
517 submitted to the ~~Business Committee Support Office~~ BCC Department.

518 (3) *Attachments*. Handouts, reports, memoranda, or other relevant documents and
519 ~~the like~~ may be attached to the minutes and agenda, or may be kept separately,
520 provided that all materials can be identified to the meeting in which they were
521 presented. This section shall identify how records of attachments shall be kept.

522 (4) *Oneida Business Committee Liaison*. Entities shall regularly communicate
523 with the Oneida Business Committee member who is their designated liaison.
524 This section shall identify a format and frequency for communication which may
525 be as the liaison and entity agree to, but not less than that required in any law or
526 policy on reporting developed by the Oneida Business Committee or Oneida
527 General Tribal Council. The ~~purpose of the liaison~~ shall act relationship is to
528 ~~uphold the ability of the liaison to act~~ as a support to that entity.

529 (5) *Audio Recordings*. An entity shall audio record all meetings. This section shall
530 state how the entity shall audio record meetings, and how the entity shall maintain
531 the audio records.

532 (A) Exception. Audio recordings of executive session portions of a
533 meeting shall not be required.

534 (g) "Article VII. Amendments" consists of:

535 (1) *Amendments to Bylaws*. This section shall describe how amendments to the
536 bylaws are made. Any amendments to bylaws shall conform to the requirements
537 of this law and any other policy of the Nation. Amendments to bylaws shall be
538 approved by the Oneida Business Committee, in addition to the General Tribal
539 Council when applicable, prior to implementation.

540 **105.12~~1~~. Electronic Polling**

541 105.12~~1~~-1. An entity may utilize an e-poll when approval of an action may be required before the
542 next available meeting agenda of the entity.

543 105.12~~1~~-2. *Conducting an E-Poll*. The Chairperson of the entity, or designee, shall e-mail the e-
544 poll to all members of the entity. Requests for an e-poll shall be sent only from an official e-mail
545 address of the entity. The e-poll's message shall include the following information:

546 ~~(a) The e-mail subject line shall begin with "E-poll Request;" and include a short title~~
547 ~~describing the purpose of the request.~~

548 ~~(b) The body of the e-poll shall contain the following elements:~~

549 ~~(a) An executive~~ a-summary of the reason for the request and why the request cannot be
550 presented at the next available meeting of the entity; and

551 ~~(2) A proposed motion which shall be in bold and identified in a separate~~
552 ~~paragraph by the words "Requested Action;"~~

553 ~~(3) All attachments in *.pdf format, which are necessary to understand the request~~
554 ~~being made; and~~
555

556 ~~(b4)- a deadline~~ date for a response. ~~to be returned regarding the results of the electronic~~
557 ~~poll which shall be in bold and identified in a separate paragraph by the words “Deadline~~
558 ~~for Response.”~~

559 (1A) E-poll requests shall be open for response not less than one (1) hour and no
560 more than twenty-four (24) hours.

561 (2B) The Chairperson of the entity, or designee, is responsible for creating a time
562 frame for responses ~~shall be determined by the Secretary of the entity, or~~
563 ~~designee~~, based on urgency, scheduling, and any other pertinent factors.

564 105.12~~1~~-3. *Response to an E-Poll.* Only the member of an entity shall respond to an e-poll. A
565 response from a member of an entity shall be valid if received from an official e-mail address of
566 the entity. No responses from unknown e-mails or personal e-mails shall be accepted. An e-poll
567 request shall receive responses from a majority of members of the entity in order to be an official
568 vote.

569 (a) E-polls that receive at least a majority of supporting votes by the deadline are
570 considered to be approved.

571 (b) E-polls for which insufficient responses were received by the deadline are considered
572 to have failed to receive support, and result in a denied request.

573 (c) E-polls that result in a denied request may be reconsidered by the entity at the next
574 available meeting.

575 (d) The Chairperson, or designee, shall monitor all responses and deadline dates for
576 responses.

577 105.12~~1~~-4. *Entering an E-Poll in the Record.* Both approved and denied e-poll requests shall be
578 placed on the next meeting agenda of the entity to be entered into the record. The agenda item
579 shall contain the following information:

580 (a) Original e-poll request and all supporting documentation;

581 (b) A summary of the e-poll results identifying each member of the entity and ~~his or~~
582 ~~her~~their response; and

583 (c) A copy of any comment by a member of the entity if comments are made beyond a
584 vote.

585 **105.13~~2~~. Reporting Requirements**

586 105.13~~2~~-1. *Minutes.* All minutes shall be submitted to the ~~Business Committee Support~~
587 ~~Office~~BCC Department within a reasonable time after approval by the entity, as identified in the
588 entity's bylaws.

590 (a) Actions taken by an entity are valid upon approval of the action by vote, unless the
591 bylaws of the entity otherwise require minutes to be approved by the entity before the
592 actions are valid.

593 (b) Minutes shall be filed according to this section, and any specific directions within
594 approved bylaws.

595 (c) No action or approval of minutes is required by the Oneida Business Committee on
596 minutes submitted by an entity unless specifically required by the bylaws of that entity.

597 105.13~~2~~-2. *Standard Operating Procedures.* All standard operating procedures established by an
598 entity shall be submitted to the ~~Business Committee Support Office~~BCC Department, where they
599 shall be kept on file.

600 105.132-3. ~~Quarterly~~ Reports to the Oneida Business Committee. ~~Every fiscal year e~~Entities
601 shall provide ~~quarterly at least two~~ reports to the Oneida Business Committee in accordance with
602 the ~~quarterly~~ reporting schedule approved by the Oneida Business Committee. ~~All quarterly~~ The
603 reports shall be approved by official entity action before they are submitted. The ~~quarterly~~
604 reports shall not contain any information that conflicts with any law, resolution, or policy of the
605 Nation. At least one (1) member of the entity shall attend the Oneida Business Committee
606 meeting where the ~~quarterly~~ report is an agenda item. ~~Quarterly r~~Reports shall follow a format
607 prescribed by the Oneida Business Committee and contain the following information:

608 (a) *Contact Information*. The name of the entity, the member submitting the report, the
609 Oneida Business Committee liaison; and a list of the members and their titles, term
610 expiration dates, and contact information.

611 (b) *Meetings*. When and how often the entity is holding meetings and whether any
612 emergency meetings have been held.

613 (1) If emergency meetings were held, the report shall indicate the basis of the
614 emergency for each meeting.

615 (c) *Accomplishments*. Details of what the entity has accomplished ~~since the last report that~~
616 ~~quarter~~, including any special events held during the reporting period and any travel by
617 the members ~~and/or~~ staff.

618 (d) *Goals*. Details of both the entity's long-term goals, the entity's goals for the next
619 ~~quarter~~ reporting period, and projected ~~quarterly~~ activities during the next reporting
620 period.

621 (e) *Budget*. The amount of the entity's budget, the status of the budget ~~at that quarter~~, the
622 amount of each stipend a member may be eligible to receive, how the budget is being
623 utilized by the entity, and projected budgetary uses for the next ~~quarter~~ reporting period.

624 (f) *Requests*. Details of any requests to the Oneida Business Committee.

625 (g) *Other*. And any other information deemed appropriate by the entity, as well as any
626 other information required by a law or policy of the Nation.

627 105.132-4. *Annual and Semi-Annual Reports to the General Tribal Council*. Entities shall
628 provide annual reports to the Oneida General Tribal Council based on their activities during the
629 previous fiscal year; and semi-annual reports based on their activities during the current fiscal
630 year. All annual and semi-annual reports shall follow a format prescribed by the Oneida Business
631 Committee.

632 (a) Annual and semi-annual reports shall contain information on the number of
633 substantiated complaints against all members of the entity.

634 (b) Each entity with oversight of a department shall also submit annual and semi-annual
635 reports for each department the entity oversees.

636 105.132-5. Any failure to comply with the reporting requirements may result in the Oneida
637 Business Committee placing a hold on the release of a stipend payment.

638 **105.143. Stipends, Reimbursement and Compensation**

639 105.143-1. Stipends and reimbursement for expenses shall follow the procedures as set out in
640 this section and according to procedures for payment as set out by the Nation, unless otherwise
641 declined by the entity through its bylaws, or declined by a member.
642

643 105.143-2. The Oneida Business Committee shall set stipend amounts by resolution. The Oneida
644 Business Committee shall periodically review the amounts provided for stipends and, based on
645 the availability of funds, shall adjust those amounts accordingly by amending the resolution.
646 Stipends are paid in the form of cash or cash equivalent, ~~which may include, but is not limited to,~~
647 ~~gift cards.~~

648 105.143-3. *Meeting Stipends.* A member of an entity shall only receive a meeting stipend for a
649 regular or emergency meeting where a quorum has been established in accordance with the duly
650 adopted bylaws of that entity, that lasts for at least one (1) hour, and the member collecting the
651 stipend is present for the entire meeting. Meetings can occur in person, by telephone, through
652 videoconferencing, or through other telecommunications.

653 (a) *Meeting Stipends for an Appointed Entity.* An individual serving on an appointed
654 entity shall be paid no more than twelve (12) meeting stipends per fiscal year.

655 (b) *Meeting Stipends for an Elected Entity.* An individual serving on an elected entity
656 shall be paid no more than twenty-four (24) meeting stipends per fiscal year.

657 (c) *Demonstrating Presence During a Meeting.* An entity shall demonstrate the presence
658 of its members during a meeting by taking roll call on the record at both the beginning
659 and conclusion of a meeting.

660 (d) *Technological Issues Affecting Presence During a Meeting.* If a member of an entity
661 experiences a technological issue during a regular or emergency meeting held by
662 telephone, through videoconferencing, or through other telecommunications, and the
663 technological issue disrupts the member's presence during the meeting, the member shall
664 notify the entity of the technological issue as soon as possible.

665 (1) An exemption to the stipend eligibility requirement to be present for the entire
666 meeting may be granted if the entity certifies by a majority vote that the member
667 was present for a majority of the meeting despite the technological issue which
668 disrupted the member's presence during the meeting.

669 105.143-4. *Joint Meeting Stipends.* A member of an entity shall only receive a stipend for a joint
670 meeting where a quorum has been established in accordance with the duly adopted bylaws of
671 that entity, that lasts for at least one (1) hour, and the member collecting the stipend is present for
672 the entire meeting. Joint meetings can occur in person, by telephone, through videoconferencing,
673 or through other telecommunications.

674 (a) An individual shall receive a stipend for ~~his or her~~their attendance at a duly called
675 joint meeting.

676 (1) A joint meeting stipend does not count towards the limitation on meeting
677 stipends as provided for in section 105.13-3(a)-(b).

678 (b) *Demonstrating Presence During a Joint Meeting.* An entity shall demonstrate the
679 presence of its members during a joint meeting by taking roll call on the record at both
680 the beginning and conclusion of a joint meeting.

681 (c) *Technological Issues Affecting Presence During a Joint Meeting.* If a member of an
682 entity experiences a technological issue during a joint meeting held by telephone, through
683 videoconferencing, or through other telecommunications, and the technological issue
684 disrupts the member's presence during the joint meeting, the member shall notify the
685 entity of the technological issue as soon as possible.

686 (1) An exemption to the stipend eligibility requirement to be present for the entire
687 joint meeting may be granted if the entity certifies by a majority vote that the
688 member was present for a majority of the joint meeting despite the technological
689 issue which disrupted the member's presence during the joint meeting.

690 105.143-5. *Oneida Judiciary Hearings*. A member of an entity shall receive a Judiciary hearing
691 stipend if the member's attendance at the Judiciary hearing is required by official subpoena.

692 105.143-6. *Hearings of an Entity*. A member of an entity that maintains hearing authority may
693 obtain ~~one~~ hearing stipend for conducting ~~a~~ hearings administered by the entity. A hearing
694 consists of all functions related to the resolution of the matter ~~notwithstanding the amount of~~
695 ~~time it takes to resolve the matter~~, including, but not limited to, ~~any continuations of the hearing~~
696 ~~and~~ decision drafting. A member may receive additional stipends for any continuation if a
697 continuation is necessary to resolve the matter.

698 105.143-7. *Other Stipends*. The Oneida Business Committee shall determine if, and when, any
699 other stipends are appropriate to compensate members of entities for their official actions. All
700 possible stipends shall be included in the Oneida Business Committee resolution which sets
701 stipend amounts.

702 105.14-8. *Virtual Meetings*. The entity may hold a virtual meeting pursuant to any requirements
703 established by the Oneida Business Committee and pursuant to any additional requirements
704 established by the entity. At a minimum those requirements for members shall be:

705 (a) The Chairperson shall open the meeting with an explanation for the record as to why
706 the meeting is being held virtually.

707 (b) The Chairperson shall take roll call at both the beginning and end of the virtual
708 meeting.

709 (c) All members shall keep their video camera on during the entire meeting.

710 (d) The Chairperson shall poll each individual member to vocalize their support,
711 opposition, or abstention to any motion.

712 105.143-98. ~~*Conferences and Training*~~ *Conferences, Training, and Travel*. An appointed or
713 elected member of any entity, ~~elected or appointed~~, shall be reimbursed in accordance with the
714 Nation's policy for travel and per diem, for attending a conference or training. ~~P~~ provided that:

715 (a) All entities shall be in compliance with the Nation's travel policies.

716 (b) A member shall be eligible for a stipend for attending a conference or training, when
717 attendance at the conference or training is required by law, bylaw₂ or resolution.

718 (1) The amount of the stipend a member is eligible to receive for attendance at a
719 conference or training shall be dependent on whether the member attended up to
720 four (4) hours of a conference or training, or more than four (4) hours of a
721 conference or training.

722 (c) A member shall not be eligible for a conference and training stipend if that training is
723 not required by law, bylaw₂ or resolution.

724 (d) No stipend payments shall be made for those days spent traveling to and from the
725 conference or training.

726 (e) The board, committee, or commission approves reimbursement for the member.

727 105.143-109. *Business Expenses*. All members of entities shall be eligible for reimbursement for
728 normal business expenses naturally related to membership in the entity.

729 (a) Before a member is eligible for reimbursement of normal business expenses, the
730 board, committee, or commission must approve such expenses.

731 105.14~~3~~-11~~0~~. *Task Force and Ad Hoc Subcommittees.* Members of task force, ad hoc committees
732 and subcommittees shall not be eligible for stipends unless specific exception is made by the
733 Oneida Business Committee or the Oneida General Tribal Council.

734
735 **105.15. Official Oneida Nation E-mail Address.**

736 105.15-1. Each member of an entity shall be provided with an official Oneida e-mail address
737 upon election or appointment for the purpose of conducting business of the entity electronically.

738 (a) If a member is also an employee of the Nation, they shall receive a separate email
739 address from their regular work e-mail address.

740 (b) A member of an entity shall have thirty (30) days after appointment or election to
741 activate their official e-mail address.

742 (c) An individual who holds a position as an ad hoc or alternate member of an entity shall
743 be exempt from the requirement to be provided with an official e-mail address, unless
744 determined that an e-mail address is necessary for the role and responsibilities of the ad
745 hoc or alternate member.

746 (d) A member of an entity shall sign an acknowledgment form provided by the Secretary
747 indicating notice of the Nation's applicable computer and media related laws, policies,
748 and rules. The Secretary shall maintain a record of all such acknowledgment forms.

749 (e) A member of an entity shall exclusively use their official e-mail address to
750 electronically conduct any business of the entity.

751 (f) Immediately upon receipt of notice of a vacancy, the Secretary shall instruct the
752 Digital Technology Services department to disable the e-mail address for the member
753 having vacated the position.

754
755 **105.164. Standards of Conduct**

756 105.16-1. *Good Mind.* All members shall serve with a Good Mind guided by wisdom, compassion,
757 and responsibility and shall avoid actions or situations that give rise to the appearance of
758 impropriety, undue influence, or favoritism.

759 105.16-2. *Cultural Accountability.* Members are reminded that their conduct reflects not only on
760 themselves but on the Nation as a whole. They are expected to uphold the teachings of the Good
761 Mind, protect the well-being of the community, and serve with humility, honor, and respect.

762 105.16-3. *Prohibited Conduct.* Members are expected to walk with the Good Mind, honoring the
763 trust of the people and the teachings of the Great Law of Peace. The following conduct is prohibited
764 as it undermines the integrity of governance, the dignity of the Nation, and the responsibilities
765 entrusted to those who serve. No member shall:

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

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

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

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

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

776 (f) Falsify records, reports, or communications related to their official duties.

777 (g) Accept gifts, gratuities, or honoraria in violation of Section 105.15-10.

778 (h) Participate in decisions where a conflict of interest exists, as defined in Section 105.15-
779 8.

780 (j) Engage in nepotism or favoritism in hiring, supervision, or contracting, as prohibited in
781 Section 105.15-9.

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

784 105.16-4. Attendance and Meeting Conduct. Members shall honor their responsibility to
785 participate fully and professionally in the governance of the Nation. Attendance and conduct
786 during meetings reflect the integrity of leadership and the trust placed in members by the Oneida
787 people. Accordingly:

788 (a) Commitment to Presence and Preparedness. Members shall attend all scheduled
789 meetings unless excused or prevented by circumstances beyond their control. Absences
790 should be communicated promptly and with respect for the entity's ability to conduct
791 business. Members are expected to arrive prepared, having reviewed all materials
792 necessary for informed decision making.

793 (b) Engagement and Respectful Dialogue. Meetings shall be conducted in a manner that
794 upholds the Good Mind and fosters constructive dialogue. Members shall:

795 (1) Actively and thoughtfully participate.

796 (2) Contribute to deliberations with clarity and respect.

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

799 (4) Refrain from conduct that disrupts proceedings or diminishes the dignity of the
800 office.

801 (c) Professionalism and Integrity in Deliberation. Decisions shall be made based on merits,
802 facts, and the collective good of the Nation. Members shall:

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

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

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

809 (d) Responsibility for Governance Continuity. Attendance and participation are essential to
810 the functioning of the Nation's government. Persistent failure to meet these expectations
811 may constitute a breach of trust and be subject to review under enforcement provisions.

812 105.16-5. Fair Dealing and Impartiality. Members shall carry out their duties with fairness,
813 honesty, and impartiality, honoring the trust placed in them by the Oneida people. Members shall:

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

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

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

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

822 105.16-6. Accountability and Transparency. Public service is a sacred responsibility. Members are
823 entrusted by the Oneida people to act with integrity, humility, and accountability. Their actions
824 shall reflect the values of the Nation and honor the trust placed in them by the community.

825 (a) Duty to be Accountable: Members shall be answerable to the Oneida people for their
826 decisions, conduct, and use of authority; explain their actions, accept responsibility for
827 mistakes, and take corrective steps when necessary. Accountability is not only a legal
828 obligation, but also a cultural duty rooted in respect for the people and the teachings of the
829 Good Mind.

830 (b) Transparency in Governance. Transparency is essential to maintaining the good mind
831 and the confidence of the people. Members shall:

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

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

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

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

842 105.16-7. Confidentiality-Information; 105.14-1. All members of an entity shall maintain in a
843 confidential manner all information obtained through their position on the entity. The Nation
844 requires that all members of an entity who have access to the Nation's confidential information
845 be subject to specific limitations in order to protect the interest of the Nation and ensure that no
846 individuals persons engaged ~~in~~ by the Nation, nor their relatives or associates, benefit from the
847 use of confidential information.

848 (a) Confidential information shall be considered and kept as the private and privileged
849 records of the Nation and will not be divulged to any person, firm, corporation, or other
850 entity except by direct written authorization of the Oneida Business Committee.

851 (b) A member of an entity will continue to treat as private and privileged any confidential
852 information, and will not release any such information to any person, firm, corporation,
853 or other entity, either by statement, deposition, or as a witness, except upon direct written
854 authority of Oneida Business Committee, and the Nation shall be entitled to an injunction
855 by any competent court to enjoin and restrain the unauthorized disclosure of such
856 information. Such restriction continues after termination of the relationship with the
857 Nation and the entity.

858 (c) Upon completion or termination of ~~his or her~~their appointed or elected ~~or appointed~~
859 term of membership in an entity, for any cause ~~whatsoever~~, the member of the entity will
860 surrender to the Nation, in good condition, all records kept by the member of the entity.

861 (d) No member of an entity shall disclose confidential information acquired by reason of
862 ~~his~~their other relationship or status with the Nation ~~for his or her~~ their personal
863 advantage, gain, or profit, or for the advantage, gain, or profit of a relative or associate.

864 (e) If a member does intentionally disclose confidential information, that member will be
865 subject to fines or penalties set forth in a fine and penalty schedule adopted by the Oneida
866 Business Committee.

867 ~~105.14-8.~~ (f) Any records created or obtained while serving as a ~~member~~official of an
868 entity are the property of the Nation and shall only be removed or destroyed by approval
869 from a majority vote of the entity at a duly called meeting. All removal or destruction of
870 documents shall be made in accordance with the Nation's laws and policies governing
871 open records and open meetings.

872 ~~105.14-3. Official Oneida Nation E-mail Address. Each member of an entity shall be provided an~~
873 ~~official Oneida e-mail address upon election or appointment for the purpose of conducting~~
874 ~~business of the entity electronically.~~

875 ~~(a) If a member is also an employee of the Nation, he or she shall receive a separate email~~
876 ~~address from his or her regular work e-mail address.~~

877 ~~(b) A member of an entity shall have thirty (30) days upon election or appointment to an~~
878 ~~entity to activate his or her e-mail address.~~

879 ~~(c) An individual who holds a position as an ad hoc or alternate member of an entity shall~~
880 ~~be exempt from the requirement to be provided an official e-mail address, unless~~
881 ~~determined that an e-mail address is necessary for the role and responsibilities of the ad~~
882 ~~hoc or alternate member.~~

883 ~~(d) A member of an entity shall sign an acknowledgment form provided by the Nation's~~
884 ~~Secretary indicating notice of the Nation's applicable computer and media related laws,~~
885 ~~policies and rules. The Nation's Secretary shall maintain a record of all such~~
886 ~~acknowledgment forms.~~

887 ~~(e) A member of an entity shall exclusively use his or her official e-mail address to~~
888 ~~electronically conduct any business of the entity, and shall not use a personal or work e-~~
889 ~~mail address to electronically conduct any business of the entity.~~

890 ~~(f) Immediately upon receipt of notice of an entity vacancy, the Nation's Secretary shall~~
891 ~~instruct the Management Information Systems department to disable the e-mail address~~
892 ~~for the member having vacated the position.~~

893 ~~105.16-8. Conflicts of Interest.~~ ~~05.15-1. All members of an entity are required to adhere to the~~
894 ~~Nation's laws and policies governing conflicts of interest.~~ ~~105.15-2. A m~~Members of an entity
895 shall disclose a conflict of interest in writing to the ~~Nation's~~ Secretary as soon as the conflict
896 arises and update a conflict of interest disclosure form with the ~~Nation's~~ Secretary on an annual
897 basis.

898 (a) Disclosure Forms.

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

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

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

905 (b~~a~~) Upon receiving information of a potential conflict of interest, the ~~Nation's~~ Secretary
906 shall request a determination from the Oneida Law Office whether further action shall be
907 taken by the Nation regarding the status of the official.

908 (1) Entities may develop an internal conflict of interest mitigation plan for eligible
909 conflicts in consultation with the Oneida Law Office, the Nation's Human
910 Resources Department, and other departments of the Nation as needed.

911 ~~105.15-3.~~ (c) Ineligibility Due to Conflicts of Interest. Due to the potential for an actual or
912 implied a real or perceived conflict of interest ~~to exist~~, the following individuals
913 ~~shall~~ may not be eligible to serve on an appointed or elected entity unless they
914 obtain approval from their immediate supervisor; the individual may also be
915 required to complete a conflict mitigation plan:

916 (1~~a~~) political appointees;

917 (2~~b~~) an employee of the Nation's Internal Audit Department, Finance
918 Administration, Oneida Law Office, ~~Business Committee Support Office~~ BCC
919 Department, Government Administrative Office, or Intergovernmental Affairs ~~and~~
920 Communications; and

921 (3~~e~~) an employee who serves as a direct report to the Oneida Business Committee
922 or the Chief Executive Officer of Nation Services. ~~General Manager.~~

923 (d) Ongoing Duty to Disclose. Members who become aware of a conflict of interest shall
924 promptly disclose and comply with the requirements of the conflict of interest mitigation
925 plan.

926 105.16-9. Nepotism Prohibited. The Oneida people expect their leaders to act with integrity and
927 impartiality. Avoiding nepotism is essential to maintaining the trust between the government and
928 the community, and to ensuring that all Oneida people have equal opportunity to serve and
929 contribute to the Nation.

930 (a) Commitment to Fairness. Members shall be guided by fairness, respect, and the Good
931 Mind. Favoring family members in employment, appointments, or decision-making
932 undermines the trust of the people and disrupts the balance that is essential to good
933 governance.

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

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

942 105.16-10. Gifts and Honorarium.

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

946 (b) Reporting Requirements. Members shall report any gift, honorarium, or sponsored
947 event with a fair market value of \$1000 or more that is given in connection with activities
948 organized by or participated in on behalf of the Nation.

949 (1) Sponsored events not paid for or reimbursed by the Nation or another
950 government entity for official duties, including fundraisers, social events,
951 recreational events, or entertainment events and any associated travel costs must be
952 recorded as a gift.

953 (2) Travel provided or reimbursed by a federal, state, or tribal government entity
954 for the purpose of carrying out official government functions, such as tribal
955 consultations, meetings, or trainings, is considered official business and is not
956 reportable under this section.

957 (c) Gift Disclosure Form and Public Record. Gifts or gratuities meeting the criteria in
958 105.15-10(a) shall be documented using the Gift Disclosure Form and submitted to the
959 Office of the Nation's Secretary within ten (10) business days of receipt.

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

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

964 (d) Gifts below the Reporting Threshold. Gifts or honoraria valued at \$999.00 or less are
965 not required to be reported on the Gift Disclosure Form.

966 (e) Cultural and Ceremonial Gifts. Gifts given in the context of traditional, ceremonial, or
967 cultural exchange may be exempt from reporting requirements, provided they are not of
968 significant monetary value and do not create a conflict of interest. Members are encouraged
969 to consult with the Oneida Law Office when in doubt.

970
971 **105.176. Use of the Nation's Assets**

972 105.176-1. Entities shall maintain all bank accounts for the Nation's funds in the name of the
973 ~~Oneida~~-Nation. Bank accounts will be reflected on the ~~Oneida~~-Nation's books in accordance with
974 Generally Accepted Accounting Principles.

975 105.176-2. Each member of an entity shall comply with the system of internal accounting
976 controls sufficient to provide assurances that:

- 977 (a) all transactions are executed in accordance with management's authorization; and
978 (b) access to assets is permitted only in accordance with management's authorization; and
979 (c) all transactions are recorded to permit preparation of financial statements in
980 conformity with Generally Accepted Accounting Principles or other applicable criteria.

981 105.176-3. Any evidence of noncompliance with any policy regarding the use of ~~the Nation's~~
982 ~~tribal~~ assets shall be immediately reported to the Internal Audit department. If the Internal Audit
983 ~~d~~department finds evidence of noncompliance, they shall notify the Oneida Law Office, who will
984 then provide a recommendation to the Government Administrative Office on how to proceed.
985 make a determination of further action to be taken, if any.

987 **105.187. Dissolution of an Entity**

988 105.187-1. *Dissolution of a Task Force or Ad Hoc Committee.* A task force or ad hoc committee
989 dissolves upon a set date or acceptance of a final report. Unless otherwise indicated, the
990 materials generated by a task force or ad hoc committee shall be forwarded to the ~~Business~~
991 ~~Committee Support Office~~ BCC Department for proper disposal within ~~two~~ four (24) weeks of
992 the dissolution.

993 105.187-2. *Dissolution of an Entity.* All other entities of the Nation shall be dissolved only by
994 motion of the Oneida General Tribal Council or the Oneida Business Committee.

995 105.187-3. *Notice of Dissolution.* Within five (5) business days of the Oneida General Tribal
996 Council or the Oneida Business Committee taking official action to dissolve an entity, the Oneida
997 Business Committee shall provide the entity written notice of the dissolution.

998 105.187-4. *Management of Records and Materials.* All Chairpersons and Secretaries of dissolved
999 entities shall be responsible for ~~finalizing~~ ~~closing out~~ open business of the entity and forwarding
1000 all materials and records to the ~~Business Committee Support Office~~ BCC Department for proper
1001 storage and disposal within ~~two~~ four (24) weeks of dissolution. The entity shall not alter or
1002 destroy any records. The ~~Business Committee Support Office~~ BCC Department may utilize the
1003 assistance of the Records Management Department ~~and~~/or any other appropriate department for
1004 the storage and disposal of the records and materials.

1005 (a) The entity may request the Oneida Business Committee to grant ~~an one~~ (1) ~~week~~
1006 extension of the time allowed to close out open business of the entity and forward all
1007 materials and records to the ~~Business Committee Support Office~~ BCC Department.

1008
1009 **105.198. Enforcement**

1010 105.198-1. Any appointed member of an entity found to be in violation of this law may be
1011 subject to:

1012 (a) termination of appointment by the Oneida Business Committee;

1013 (b) loss of stipend; or

1014 (1) When an appointed member's stipend is withheld, the Secretary shall submit
1015 written notices to the member, the entity's Chairperson or Vice-Chairperson, as
1016 applicable, and the BCC Department.

1017 (c) Any other penalty identified by the entity in the entity's bylaws.

1018 105.19-2. Any elected member of an entity found to be in violation of this law may be subject to:

1019 (a) loss of stipend or any other sanctions and penalties in accordance with any laws or
1020 policies of the Nation governing sanctions and ~~or~~ penalties;

1021 (b) removal pursuant to any laws or policies of the Nation's governing removal; or

1022 (c) any other penalty identified by the entity in the entity's bylaws.

1023 ~~if the individual is a member of an elected entity; or~~

1024 ~~(e) termination of appointment by the Oneida Business Committee, if the individual is a member~~
1025 ~~of an appointed entity.~~

1026 105.19-3. All entities shall identify in their bylaws the procedures for withholding a member's
1027 stipend and any other sanctions or penalties identified by that entity as long as those sanctions or
1028 penalties meet the requirements of this law and all other laws, policies, and rules of the Nation.

1029 105.19-4. Appeal. If applicable, a member shall have the right to appeal an enforcement action
1030 pursuant to the requirements and procedures regarding appeals of the law under which the member
1031 received a sanction or penalty.

1032

1033

1034 *End.*

1035

1036

1037 Adopted - BC-08-02-95-A

1038 Amended - BC-05-14-97-F

1039 Emergency Amended - BC-04-12-06-JJ Amended - BC-09-27-06-E (permanent adoption of emergency
1040 amendments)

1041 Amended – BC-09-22-10-C

1042 Amended – BC-09-26-18-C

1043 Emergency Amended – BC-03-11-20-B

1044 Emergency Amended – BC-03-17-20-C

1045 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:

(1) Kahletsyal&sla. The heartfelt encouragement of the best in each of us.

(2) Kanolukhw@sla. Compassion, caring, identity, and joy of being.

(3) Ka>nikuhli=y%. The openness of the good spirit and mind.

(4) Ka>tshatst^sla. The strength of belief and vision as a People.

(5) Kalihwi=y%. The use of the good words about ourselves, our Nation, and our future.

(6) Twahwahts\$lay<. All of us are family.

(7) Yukwats\$stay<. Our fire, our spirit within each one of us.

105.2. Adoption, Amendment, Repeal

33 105.2-1. This law was adopted by the Oneida Business Committee by resolution BC-05-14-97-F
34 and amended by resolutions BC-09-27-06-E, BC-09-22-10-C, BC-09-26-18-C, BC-08-12-20-B,
35 and BC-__-__-__-__.

36 105.2-2. This law may be amended or repealed by the Oneida Business Committee or the
37 General Tribal Council pursuant to the procedures set out in the Legislative Procedures Act.

38 105.2-3. Should a provision of this law or the application thereof to any person or circumstances
39 be held as invalid, such invalidity shall not affect other provisions of this law which are
40 considered to have legal force without the invalid portions.

41 105.2-4. In the event of a conflict between a provision of this law and a provision of another law,
42 the provisions of this law shall control.

43 105.2-5. This law is adopted under authority of the Constitution of the Oneida Nation.
44

45 **105.3. Definitions**

46 105.3-1. This section shall govern the definitions of words and phrases used within this law. All
47 words not defined herein shall be used in their ordinary and everyday sense.

48 (a) "Application" means the form by which a person seeks to be appointed to fill a
49 vacancy on an entity.

50 (b) "Appointment" means the process by which a person is chosen to fill a vacancy on an
51 entity by the Oneida Business Committee.

52 (c) "BCC Department" means the Boards, Committees, and Commissions Department.

53 (d) "Business day" means Monday through Friday from 8:00 a.m. to 4:30 p.m., excluding
54 holidays recognized by the Nation.

55 (e) "Bylaws" means a document which provides a framework for the operation and
56 management of a board, committee, or commission of the Nation chiefly for the
57 government of its members and the regulation of its affairs.

58 (f) "Conference" means any training, seminar, meeting, or other assembly of individuals
59 which is not an assembly of the entity.

60 (g) "Confidential information" means all information or data, whether printed, written, or
61 oral, concerning business or customers of the Nation, disclosed to, acquired by, or
62 generated by a member of an entity in confidence at any time during their appointed or
63 elected term or during their employment.

64 (h) "Conflict of interest" means any financial, personal, or political interest, actual or
65 implied in which an appointed or elected member or any member of their immediate
66 family, has that conflicts with any right of the Nation to property, information, or any
67 other right to own and operate activities free from undisclosed competition or other
68 violation of such rights of the Nation or to any transaction between the Nation and an
69 outside party.

70 (i) "Direct report" means a position which requires direct contact and supervision by the
71 Oneida Business Committee because of the position, the duties, or the services provided.
72 Direct reports shall be identified by the Oneida Business Committee through resolution.

73 (j) "Entity" means a board, committee or commission created by the General Tribal
74 Council or the Oneida Business Committee whose members are appointed by the Oneida
75 Business Committee or elected by the Nation's membership.

76 (k) "E-poll" means an electronic poll, which is the act of delivering an e-mail to all
77 officials of an entity, in order to seek a response which identifies a vote in favor of,
78 opposing, or abstaining to an issue requiring approval by the entity.

79 (l) "Fiscal year" means the one (1) year period each year from October 1st to September
80 30th.

81 (m) "Joint meeting" means a meeting with the Oneida Business Committee.

82 (n) "Letter" means a written or printed message addressed to a specific person or
83 organization; for the purposes of this law, a letter can be on paper or sent electronically.

84 (o) "Member" means all individuals who are appointed or elected to serve on a board,
85 committee, or commission created by the Oneida Business Committee or the Oneida
86 General Tribal Council.

87 (p) "Nation" means the Oneida Nation.

88 (q) "Per diem" means the payment made by the Nation to offset the costs of being on
89 travel on behalf of the Nation.

90 (r) "Political appointee" means a person who assists an elected member of the Oneida
91 Business Committee in their daily activities and operations.

92 (s) "Prohibited drugs" means marijuana, cocaine, opiates, amphetamines, phencyclidine
93 (PCP), hallucinogens, methaqualone, barbiturates, narcotics, and any other substance
94 included in Schedules I through V, as defined by Section 812 of Title 21 of the United
95 States Code. This also includes prescription medication or over-the-counter medicine
96 used in an unauthorized or unlawful manner.

97 (t) "Secretary" means the person elected and serving as the Nation's Secretary; an officer
98 position of the Oneida Business Committee.

99 (u) "Stipend" means the amount paid by the Nation to a person serving on a board,
100 committee, or commission of the Nation in order to compensate the individual for their
101 contribution of time, effort, and work for their board, committee, or commission for the
102 betterment of the Nation.

103 (v) "Subcommittee" means a subgroup of an entity; which is comprised of fewer than all
104 members of the entity; which is designated one (1) or more specific responsibilities on
105 behalf of the entity.

106 (w) "Substantiated complaint" means a complaint or allegation in a complaint that was
107 found to be valid by clear and convincing evidence.

108 (x) "Task Force or Ad Hoc" means a group of individuals gathered to pursue a single
109 goal, the accomplishment of which means the disbanding of the group. The goal is
110 generally accomplished in a short time period, i.e. less than one year, but the goal itself
111 may be long term.

112 (y) "Vacancy" means any position on any board, committee, or commission caused by
113 resignation, end of term, removal, termination, or creation of a new position.

114 115 **105.4. Creation of an Entity**

116 105.4-1. An entity of the Nation shall be created by a resolution or law adopted by the Oneida
117 Business Committee or General Tribal Council.

118 105.4-2. The law or resolution establishing the entity shall state the purpose of the entity and all
119 powers and responsibilities delegated to the entity.

120 105.4-3. The Oneida Business Committee or designee shall be responsible for drafting the initial
121 bylaws of the entity.

122 105.4-4. The Oneida Business Committee shall be responsible for approving the initial bylaws of
123 the entity.

124

125 **105.5. Applications**

126 105.5-1. The BCC Department shall approve all applications to serve on an entity of the Nation.
127 All application materials shall be available in any location identified by, or in the offices of, the
128 BCC Department

129 (a) All applications shall include:

130 (1) a statement explaining the reporting requirements of section 105.13-3; and

131 (2) a section regarding disclosures of conflicts of interest.

132 (b) An additional application form shall be required for those entities that require a
133 background investigation. This background investigation application shall include the
134 applicant's social security number and any other information required for a background
135 investigation. The background investigation application shall be solely used for the
136 background investigation and not included in the application materials that are then
137 shared with the Oneida Business Committee, entity, or the Election Board.

138 105.5-2. Applications shall be filed with the BCC Department by 4:30 p.m. of the deadline date.

139 105.5-3. Within eight (8) business days after the posted deadline for filing applications, the BCC
140 Department shall notify all individuals who have filed an application of the date their application
141 was received and if their application met the deadline to be considered for the election or
142 appointment.

143 105.5-4. Applications for elected positions shall be verified according to the Nation's laws,
144 bylaws, or policies governing elections. Applications for appointed positions shall be verified by
145 the BCC Department as needed or as required in the bylaws of the entity.

146 105.5-5. *Insufficient Applicants*. In the event that there are an insufficient number of applicants
147 after the deadline has passed for appointed positions, the BCC Department may repost.

148 (a) If the number of applicants is equal to or less than the number of vacancies then it
149 shall be determined to be an insufficient number of applicants.

150 (b) The BCC Department shall notify the Oneida Business Committee if a position will
151 be reposted.

152 (c) In the event of reposting, prior applicants will be considered to have filed applications
153 within the deadline period.

154 (d) The Oneida Business Committee may consider late applicants.

155

156 **105.6. Vacancies**

157 105.6-1. The manner by which an individual fills a vacancy, either through appointment or
158 election, shall determine that member's status as an appointed or elected official, despite the
159 entity's classification as an appointed or elected entity pursuant to the entity's bylaws.

160 105.6-2. A position on an entity shall be considered vacant in the following situations:

161 (a) *End of Term*. A vacancy is effective as of 4:30 p.m. on the last day of the month in
162 which the term ends.

163 (1) Although a position is considered vacant once the term ends, the member of
164 the entity may remain in office until the member's successor has been sworn in by

165 the Oneida Business Committee, provided that the position may not be held by the
166 predecessor for longer than sixty (60) business days, in an effort to prevent a
167 discontinuation of business or a loss of quorum for the entity.

168 (b) *Removal*. Removal is effective, pursuant to any law or policy of the Nation regarding
169 removal.

170 (c) *Termination of Appointment*. A termination is effective upon a two-thirds (2/3)
171 majority vote of the Oneida Business Committee in favor of a member's termination of
172 appointment.

173 (d) *Resignation*. A resignation is effective upon:

174 (1) deliverance of a letter to the BCC Department and to the Chairperson of the
175 entity, or designee; or

176 (2) acceptance by motion of the entity of a verbal resignation; and

177 (3) certification and acceptance by the Secretary.

178 (e) *New Positions*. Vacancies on new entities are effective upon adoption of bylaws.

179 105.6-3. An entity shall notify the BCC Department as soon as the entity learns that a position
180 has or will become vacant. All notices of vacancy shall be sent to the entities for clarification or
181 confirmation prior to notification to the Oneida Business Committee.

182 105.6-4. The BCC Department shall forward the notice of vacancy to the Secretary. The
183 Secretary shall request and receive approval from the Oneida Business Committee to post the
184 notice of vacancy. The BCC Department shall post notice of vacancies at the following times:

185 (a) *End of Term*. Automatically sixty (60) days prior to completion of the term.

186 (b) *Removal*. No later than the next Oneida Business Committee meeting following the
187 effective date of the removal.

188 (c) *Resignation*. No later than the next Oneida Business Committee meeting following
189 the BCC Department's receipt of notice of an effective resignation from the entity.

190 (d) *New Positions*. Upon one of the following conditions:

191 (1) if not specified, immediately upon the creation of an entity or the adoption of
192 bylaws, whichever is later; or

193 (2) upon the date specified when creating the entity.

194 (e) *Termination of appointment*. No later than the next Oneida Business Committee
195 meeting following the effective date of the termination.

196 105.6-5. Notice of vacancies shall be posted by the BCC Department in all official media outlets
197 of the Nation, as determined by the Oneida Business Committee, as well as any other location
198 deemed appropriate by the Secretary.

199

200 **105.7. Appointment to an Entity**

201 105.7-1. *Appointment Selection*. The following procedures shall be used to determine how the
202 applicant for an appointed position is selected:

203 (a) Within eight (8) business days after the posted deadline for submitting an application,
204 or within twenty-one (21) business days of the posted deadline if the entity requires a
205 background investigation to be completed as part of the application process, the BCC
206 Department shall:

207 (1) deliver all applications, along with a summary of qualifications to hold office,
208 and the results of the background investigation if required, to each member of the
209 Oneida Business Committee as well as the entity's Chairperson; and

- 210 (2) place the appointment for the entity on the next executive session portion of
211 the agenda of a regular or special Oneida Business Committee meeting in which
212 the appointment is intended to be made; or
213 (3) if delays in compiling the applications, summary of qualifications, or results of
214 any investigations exist, request additional time from the Oneida Business
215 Committee to complete requirements of section 105.7-1(a)(1)-(2).

216 (b) Each member of the Oneida Business Committee shall review the application
217 materials prior to executive session and be prepared to discuss and select an applicant for
218 appointment.

219 (1) The entity's Chairperson may review the application materials and submit a
220 recommendation to the BCC Department to include in the application materials to
221 be reviewed by the Oneida Business Committee.

222 (A) The recommendation shall be submitted to the BCC Department in
223 accordance with the submission deadlines for the Oneida Business
224 Committee meeting in which the appointment is intended to be made.

225 (c) The Oneida Business Committee shall have a full and complete discussion of the
226 merits and qualifications of the potential applicants and any recommendations made by
227 the Chairperson of the entity during executive session. After completing a thorough
228 discussion the Oneida Business Committee shall:

229 (1) select an applicant for appointment; or

230 (2) ask the Secretary to re-notice the vacancy because of ineligible, unqualified, or
231 under qualified applicants.

232 (d) All appointments shall be made by the Oneida Business Committee during the open
233 session of a regular or special Oneida Business Committee meeting. The Oneida Business
234 Committee shall not appoint an applicant who fails to meet the requirements set out in the
235 entity's bylaws.

236 (e) During the open session of the regular or special Oneida Business Committee
237 meeting, a member of the Oneida Business Committee may make a motion to appoint an
238 individual. Oneida Business Committee members may:

239 (1) accept the selected applicant and vote to appoint the individual to the vacant
240 position; or

241 (2) reject the selected applicant and vote to oppose the appointment.

242 (f) If the Oneida Business Committee rejects the selected applicant, the matter will be
243 deferred to the next Oneida Business Committee meeting where another applicant may be
244 recommended by the Oneida Business Committee or the Oneida Business Committee
245 may direct the vacancy to be re-posted. When a vacancy is re-posted under this section,
246 all applications from the first posting shall be considered to have been filed within the
247 deadline period.

248 105.7-2. *Notification of Appointment.* Once an individual is selected for appointment at an
249 Oneida Business Committee meeting, the Secretary shall notify all applicants of the final status
250 of their application.

251 (a) The Secretary shall include on the notice to the applicant selected for appointment the
252 following paragraph: "The Oneida Nation reports all income paid by the Oneida Nation
253 in whatever form. The Internal Revenue Service of the United States considers stipends
254 paid to members of boards, committees, and commissions to be income which may be

255 offset by expenses related to that income. You will receive an income report which is also
256 forwarded to the Internal Revenue Service, it is also your responsibility to keep
257 documentation of expenses related to this income.”

258 105.7-3. *Declination of Appointment.* An individual who has been selected for appointment to an
259 entity by the Oneida Business Committee may decline the appointment.

260 (a) An individual may decline an appointment to an entity in the following ways:
261 (1) delivery of a letter to the BCC Department stating that the individual wishes to
262 decline the appointment; or
263 (2) failure to take the oath of office within thirty (30) days or within two (2)
264 regularly scheduled Oneida Business Committee meetings of being selected for
265 appointment by the Oneida Business Committee.

266 (b) The BCC Department shall notify the Oneida Business Committee if an individual
267 declines an appointment to an entity. The Oneida Business Committee shall then use the
268 original pool of applications for the vacancy posting and the process outlined in section
269 105.7-1 to select another applicant for appointment.

270 105.7-4. *Termination of Appointment.* An appointed member of an entity serves at the discretion
271 of the Oneida Business Committee. Upon the recommendation of a member of the Oneida
272 Business Committee or the entity, a member of an appointed entity may have their appointment
273 terminated by the Oneida Business Committee.

274 (a) A two-thirds majority vote of the Oneida Business Committee shall be required in
275 order to terminate the appointment of an individual.

276 (b) The Oneida Business Committee’s decision to terminate an appointment is final and
277 not subject to appeal.

278

279 **105.8. Election to an Entity**

280 105.8-1. All elected positions shall be nominated at a caucus called by the Oneida Election
281 Board, or apply for ballot placement, in accordance with the Nation’s laws or policies governing
282 elections, except where an entity’s bylaws allow for a vacancy to be filled by appointment.

283 (a) When the Election Board notifies an applicant or nominee that they are eligible to be
284 placed on the ballot, the following paragraph shall be included: “The Oneida Nation
285 reports all income paid by the Nation in whatever form. The Internal Revenue Service of
286 the United States considers stipends paid to members of boards, committees, and
287 commissions to be income which may be offset by expenses related to that income. You
288 will receive an income report which is also forwarded to the Internal Revenue Service, it
289 is also your responsibility to keep documentation of expenses related to this income.”

290 105.8-2. All other processes for the election of a member of an entity shall be pursuant to the
291 Nation’s laws or policies governing elections.

292

293 **105.9. Oath of Office**

294 105.9-1. All appointed and elected positions are official upon taking an oath during a regular or
295 special Oneida Business Committee meeting or at an alternative time and location as determined
296 by the Secretary. All rights and delegated authorities of membership in the entity shall vest upon
297 taking the oath. The Secretary shall notify the chosen individuals when they shall appear for
298 taking the oath.

299 (a) When taking an oath, the appointed or elected member shall appear in person to take
300 their oath, except if granted permission by the Secretary to appear through video
301 conferencing, or through other telecommunications.

302 (b) If an oath is administered outside of an Oneida Business Committee meeting, a
303 quorum of Oneida Business Committee members shall be present to witness the oath.

304 105.9-2. The Oneida Business Committee shall approve wording of oaths. Any revisions of oaths
305 shall be approved by the Oneida Business Committee prior to usage. Oaths shall be kept on file
306 by the BCC Department.

307 105.9-3. Originals of the signed oath, or electronic copies of the originals of the signed oath,
308 shall be maintained by the BCC Department. Copies of the oath shall be forwarded to the new
309 member of the entity and the entity.

310 105.9-4. The following oath is the standard oath to be used unless a specific oath for the entity is
311 pre-approved by the Oneida Business Committee: “I, [name], hereby promise to uphold the laws
312 and regulations of the Oneida Nation, the General Tribal Council, and the Oneida Nation
313 Constitution. I will perform my duties to the best of my ability and on behalf of the Oneida
314 people with honor, respect, dignity, and sincerity and will strictly maintain confidential
315 information. I will carry out the duties and responsibilities as a member of the [entity name], and
316 all recommendations shall be made in the best interest of the Oneida Nation as a whole.”

317 105.9-5. All oaths shall be sufficient to make the appointed or elected member of an entity aware
318 of their duty to the Nation and as members of the entity.

319

320 **105.10. Other Responsibilities**

321 105.10-1. *Onboarding*. Before a new member begins performing their duties and in addition to
322 taking the oath of office, the new member must complete the entity’s onboarding requirements in
323 accordance with an approved standard operating procedure. This procedure shall include, but is
324 not limited to the following:

325 (a) Conflict of Interest.

326 (b) Confidentiality Agreement.

327 (c) Training:

328 (1) Regarding the Nation and the State of the Nation, in general. Such training
329 may include, but will not be limited to, the Nation’s Economic Impact Statement,
330 organizational chart, and government goals and vision.

331 (2) Regarding the training required by the specific entity’s bylaws.

332 (3) Regarding human resources as determined by the Nation’s Human Resources
333 Department to the extent that entity directly supervises employees of the Nation.

334 105.10-2. *Offboarding*. When a member leaves an entity that member and the BCC Department
335 or the Government Administrative Office shall be responsible for ensuring the member
336 completes offboarding in accordance with an approved standard operating procedure. The
337 offboarding procedure may include, but is not limited to:

338 (a) Transition of assigned duties and responsibilities.

339 (b) Return of equipment.

340 (c) De-activation of email, identification card, and access card.

341 (d) Exit interview or survey.

342

343 **105.11. Bylaws**

344 105.11-1. All entities of the Nation shall have bylaws that conform to the requirements of this
345 law. Bylaws shall become effective upon approval of the Oneida Business Committee, unless
346 General Tribal Council approval is additionally required.

347 (a) All existing entities shall comply with this format and present bylaws for adoption
348 within a reasonable time after creation of the entity, or within a reasonable time after
349 adoption or amendment of this law.

350 (b) Bylaws shall contain at least the minimum information required by law, although
351 more information is not prohibited.

352 (c) *Exception.* Task Forces and Ad Hoc Committees are excepted from the requirement to
353 have bylaws. However, these entities shall have, at minimum, mission or goal statements
354 for completion of the task.

355 105.11-2. *Articles.* Bylaws shall contain, at a minimum, the following Articles:

356 (a) Article I. Authority.

357 (b) Article II. Officers.

358 (c) Article III. Meetings.

359 (d) Article IV. Expectations.

360 (e) Article V. Stipends and Compensation.

361 (f) Article VI. Records and Reporting.

362 (g) Article VII. Amendments.

363 105.11-3. *Sections.* Articles shall be divided into the following Sections.

364 (a) "Article I. Authority" shall consist of the following:

365 (1) *Name.* The full name of the entity shall be stated, along with any short name
366 that will be officially used.

367 (2) *Establishment.* This section shall state the citation and name, if any, of the
368 creation document.

369 (3) *Authority.* This section shall state the purpose for which the entity was created
370 and what, if any, authority the entity is delegated.

371 (4) *Office.* There shall be listed the official office or post box of the entity.

372 (5) *Membership.* The following information shall be in this section:

373 (A) number of members on the entity;

374 (B) if members on the entity are appointed or elected, and how a member
375 is appointed or elected;

376 (C) how vacancies are filled; and

377 (D) qualifications for membership on the entity.

378 (i) In order to qualify for membership on an entity, a person shall
379 meet the minimum age requirements set forth for status as a
380 qualified voter of the Nation, unless a law, policy, or directive sets
381 forth a minimum age requirement.

382 (6) *Termination or Removal.* This section shall identify causes for termination or
383 removal, if any, in addition to those already identified in laws or policies of the
384 Nation.

385 (7) *Trainings and Conferences.* This section shall address travel for training and
386 conferences. Travel for training and conferences is allowable in accordance with
387 the Nation's travel policies. All entities shall be in compliance with the Nation's
388 travel policies.

- 389 (b) "Article II. Officers" shall consist of the following:
390 (1) *Chairperson and Vice-Chairperson*. This section creates the Chairperson and
391 Vice-Chairperson positions of the entity. Other officer positions may also be
392 created here.
393 (2) *Responsibilities of the Chairperson*. Because of the importance of this
394 position, all duties and responsibilities of the Chairperson, as well as limitations
395 of the Chairperson shall be specifically listed here.
396 (3) *Responsibilities of the Vice-Chairperson*. Because of the importance of this
397 position, all duties and responsibilities of the Vice-Chairperson, as well as
398 limitations of the Vice-Chairperson shall be specifically listed here.
399 (4) *Responsibilities of Additional Officers*. There may be additional sections as
400 needed for every officer position created in subsection one (1) above. These
401 sections shall state all duties and responsibilities of the officer, as well as any
402 limitations of the officer.
403 (5) *Selection of Officers*. This section shall identify how a member of the entity
404 shall be selected for an official officer position in the entity.
405 (6) *Purchases and Travel*. This section shall identify how the entity shall approve
406 purchases or travel on behalf of the entity.
407 (A) An entity shall follow the Nation's policies and procedures regarding
408 purchasing and sign-off authority.
409 (B) Upon formal approval of a purchase by an entity, the BCC Department
410 shall have official budgetary sign off authority for the entity.
411 (C) An entity shall approve a member's request to travel on behalf of the
412 entity by majority vote at a regular or emergency meeting of the entity.
413 (7) *Personnel*. This section shall state the entity's authority for hiring personnel, if
414 any, and the duties of such personnel.
- 415 (c) "Article III. Meetings" shall consist of the following:
416 (1) *Regular meetings*. This section shall identify when and where regular
417 meetings shall be held, and how the entity shall provide notice of the meeting
418 agenda, documents, and minutes.
419 (2) *Emergency meetings*. This section shall identify what constitutes an
420 emergency meeting, how emergency meetings shall be called, and how the entity
421 shall provide notice of the emergency meeting.
422 (A) All bylaws shall include a provision requiring that within seventy-two
423 (72) hours after an emergency meeting, the entity shall provide the
424 Secretary with notice of the meeting, the reason for the emergency
425 meeting, and an explanation of why the matter could not wait for a regular
426 meeting.
427 (3) *Joint Meetings*. This section shall identify if joint meetings shall be held, the
428 frequency and location of joint meetings, and how the entity shall provide notice
429 of the meeting agenda, documents, and minutes.
430 (4) *Quorum*. This section shall identify how many members of an entity create a
431 quorum.
432 (5) *Order of Business*. This section sets out how the agenda will be set up.

433 (6) *Voting*. This section shall identify voting requirements, such as, but not limited
434 to:

- 435 (A) the percentages that shall be needed to pass different items;
- 436 (B) if, and when, the Chairperson is allowed to vote;
- 437 (C) if the use of an e-poll is permissible; and
- 438 (D) if the use of an e-poll is permissible, who will serve as the
- 439 Chairperson's designee for the responsibility of conducting an e-poll, if a
- 440 designee is utilized.

441 (d) "Article IV. Expectations" shall consist of the following information:

442 (1) *Behavior of Members*. This section shall identify the behavioral expectations
443 and requirements of a member of the entity required by this law and any
444 additional expectations and requirements specific to the entity and identify how
445 the entity shall enforce these behavioral expectations.

446 (2) *Prohibition of Violence*. This section shall prohibit any violent, intentional act
447 committed by a member of the entity that inflicts, attempts to inflict, or threatens
448 to inflict emotional or bodily harm on another person, or damage to property, and
449 set forth any further expectations regarding the prohibition of violence.

450 (3) *Drug and Alcohol Use*. This section shall prohibit the use of alcohol and
451 prohibited drugs for a member of an entity when acting in their official capacity
452 and set forth any further expectations regarding the use of prohibited drugs and
453 alcohol.

454 (4) *Social Media*. This section shall identify expectations for the use of social
455 media regarding official business of the entity.

456 (5) *Conflict of Interest*. This section shall state any standards and expectations
457 additional to those required by this law regarding conflicts of interest and how
458 they are handled, as well as requirements related to prohibited activities resulting
459 from disclosed conflicts of interest and means by which a party can alleviate or
460 mitigate the conflict of interest.

461 (6) *Conflict Resolution*. This section shall address how the entity will handle
462 conflict resolution. At a minimum, the entity's procedures and requirements for
463 conflict resolution shall conform to any policy of the Nation's Human Resources
464 Department.

465 (7) *Leave of Absence*. This section shall address leave of absence, at a minimum,
466 as it is allowed to employees of the Nation pursuant to policies of the Nation's
467 Human Resources Department.

468 (e) "Article V. Stipends and Compensation" shall consist of the following information:

469 (1) *Stipends*. This section shall include a comprehensive list of all stipends
470 members are eligible to receive and the requirements for collecting each stipend,
471 if any, in addition to those contained in this law. This section shall also include the
472 procedure to withhold a member's stipend if a member does not meet the
473 identified requirements needed to collect each stipend.

474 (2) *Compensation*. This section shall include details regarding all other forms of
475 compensation members are eligible to receive and the requirements for collecting
476 such compensation, if any, in addition to those contained in this law.

477 (f) "Article VI. Records and Reporting" shall consist of the following information:

- 478 (1) *Agenda Items*. Agenda items shall be maintained in a consistent format as
479 identified by this section.
- 480 (2) *Minutes*. Minutes shall be typed and in a consistent format designed to
481 generate the most informative record of the meetings of the entity. This may
482 include a summary of action taken by the entity. This section shall identify the
483 format for minutes, and a reasonable timeframe by which minutes shall be
484 submitted to the BCC Department.
- 485 (3) *Attachments*. Handouts, reports, memoranda, or other relevant documents may
486 be attached to the minutes and agenda, or may be kept separately, provided that all
487 materials can be identified to the meeting in which they were presented. This
488 section shall identify how records of attachments shall be kept.
- 489 (4) *Oneida Business Committee Liaison*. Entities shall regularly communicate
490 with the Oneida Business Committee member who is their designated liaison.
491 This section shall identify a format and frequency for communication which may
492 be as the liaison and entity agree to, but not less than that required in any law or
493 policy on reporting developed by the Oneida Business Committee or Oneida
494 General Tribal Council. The liaison shall act as a support to that entity.
- 495 (5) *Audio Recordings*. An entity shall audio record all meetings. This section shall
496 state how the entity shall audio record meetings and how the entity shall maintain
497 the audio records.

498 (A) Exception. Audio recordings of executive session portions of a
499 meeting shall not be required.

500 (g) "Article VII. Amendments" consists of:

- 501 (1) *Amendments to Bylaws*. This section shall describe how amendments to the
502 bylaws are made. Any amendments to bylaws shall conform to the requirements
503 of this law and any other policy of the Nation. Amendments to bylaws shall be
504 approved by the Oneida Business Committee, in addition to the General Tribal
505 Council when applicable, prior to implementation.

506 **105.12. Electronic Polling**

507 **105.12-1.** An entity may utilize an e-poll when approval of an action may be required before the
508 next available meeting agenda of the entity.

509 **105.12-2. *Conducting an E-Poll.*** The Chairperson of the entity, or designee, shall e-mail the e-
510 poll to all members of the entity. Requests for an e-poll shall be sent only from an official e-mail
511 address of the entity. The e-poll's message shall include the following information:

512 (a) a summary of the reason for the request and why the request cannot be presented at
513 the next available meeting of the entity; and

514 (b) a deadline date for a response.

515 (1) E-poll requests shall be open for response not less than one (1) hour and no
516 more than twenty-four (24) hours.

517 (2) The Chairperson of the entity, or designee, is responsible for creating a time
518 frame for responses based on urgency, scheduling, and any other pertinent factors.

519 **105.12-3. *Response to an E-Poll.*** Only the member of an entity shall respond to an e-poll. A
520 response from a member of an entity shall be valid if received from an official e-mail address of
521 the entity. No responses from unknown e-mails or personal e-mails shall be accepted. An e-poll
522

523 request shall receive responses from a majority of members of the entity in order to be an official
524 vote.

525 (a) E-polls that receive at least a majority of supporting votes by the deadline are
526 considered to be approved.

527 (b) E-polls for which insufficient responses were received by the deadline are considered
528 to have failed to receive support, and result in a denied request.

529 (c) E-polls that result in a denied request may be reconsidered by the entity at the next
530 available meeting.

531 (d) The Chairperson, or designee, shall monitor all responses and deadline dates for
532 responses.

533 105.12-4. *Entering an E-Poll in the Record*. Both approved and denied e-poll requests shall be
534 placed on the next meeting agenda of the entity to be entered into the record. The agenda item
535 shall contain the following information:

536 (a) Original e-poll request and all supporting documentation;

537 (b) A summary of the e-poll results identifying each member of the entity and their
538 response; and

539 (c) A copy of any comment by a member of the entity if comments are made beyond a
540 vote.

541

542 **105.13. Reporting Requirements**

543 105.13-1. *Minutes*. All minutes shall be submitted to the BCC Department within a reasonable
544 time after approval by the entity, as identified in the entity's bylaws.

545 (a) Actions taken by an entity are valid upon approval of the action by vote, unless the
546 bylaws of the entity otherwise require minutes to be approved by the entity before the
547 actions are valid.

548 (b) Minutes shall be filed according to this section, and any specific directions within
549 approved bylaws.

550 (c) No action or approval of minutes is required by the Oneida Business Committee on
551 minutes submitted by an entity unless specifically required by the bylaws of that entity.

552 105.13-2. *Standard Operating Procedures*. All standard operating procedures established by an
553 entity shall be submitted to the BCC Department where they shall be kept on file.

554 105.13-3. *Reports to the Oneida Business Committee*. Every fiscal year entities shall provide at
555 least two reports to the Oneida Business Committee in accordance with the reporting schedule
556 approved by the Oneida Business Committee. The reports shall be approved by official entity
557 action before they are submitted. The reports shall not contain any information that conflicts with
558 any law, resolution, or policy of the Nation. At least one (1) member of the entity shall attend the
559 Oneida Business Committee meeting where the report is an agenda item. Reports shall follow a
560 format prescribed by the Oneida Business Committee and contain the following information:

561 (a) *Contact Information*. The name of the entity, the member submitting the report, the
562 Oneida Business Committee liaison; and a list of the members and their titles, term
563 expiration dates, and contact information.

564 (b) *Meetings*. When and how often the entity is holding meetings and whether any
565 emergency meetings have been held.

566 (1) If emergency meetings were held, the report shall indicate the basis of the
567 emergency for each meeting.

- 568 (c) *Accomplishments*. Details of what the entity has accomplished since the last report,
569 including any special events held during the reporting period and any travel by the
570 members or staff.
- 571 (d) *Goals*. Details of both the entity's long-term goals, the entity's goals for the next
572 reporting period, and projected activities during the next reporting period.
- 573 (e) *Budget*. The amount of the entity's budget, the status of the budget, the amount of
574 each stipend a member may be eligible to receive, how the budget is being utilized by the
575 entity, and projected budgetary uses for the next reporting period.
- 576 (f) *Requests*. Details of any requests to the Oneida Business Committee.
- 577 (g) *Other*. And any other information deemed appropriate by the entity, as well as any
578 other information required by a law or policy of the Nation.

579 105.13-4. *Annual and Semi-Annual Reports to the General Tribal Council*. Entities shall provide
580 annual reports to the Oneida General Tribal Council based on their activities during the previous
581 fiscal year and semi-annual reports based on their activities during the current fiscal year. All
582 annual and semi-annual reports shall follow a format prescribed by the Oneida Business
583 Committee.

- 584 (a) Annual and semi-annual reports shall contain information on the number of
585 substantiated complaints against all members of the entity.
- 586 (b) Each entity with oversight of a department shall also submit annual and semi-annual
587 reports for each department the entity oversees.

588 105.13-5. Any failure to comply with the reporting requirements may result in the Oneida
589 Business Committee placing a hold on the release of a stipend payment.

590

591 **105.14. Stipends, Reimbursement and Compensation**

592 105.14-1. Stipends and reimbursement for expenses shall follow the procedures as set out in this
593 section and according to procedures for payment as set out by the Nation, unless otherwise
594 declined by the entity through its bylaws, or declined by a member.

595 105.14-2. The Oneida Business Committee shall set stipend amounts by resolution. The Oneida
596 Business Committee shall periodically review the amounts provided for stipends and based on
597 the availability of funds shall adjust those amounts accordingly by amending the resolution.
598 Stipends are paid in the form of cash or cash equivalent.

599 105.14-3. *Meeting Stipends*. A member of an entity shall only receive a meeting stipend for a
600 regular or emergency meeting where a quorum has been established in accordance with the duly
601 adopted bylaws of that entity, that lasts for at least one (1) hour, and the member collecting the
602 stipend is present for the entire meeting. Meetings can occur in person, by telephone, through
603 videoconferencing, or through other telecommunications.

- 604 (a) *Meeting Stipends for an Appointed Entity*. An individual serving on an appointed
605 entity shall be paid no more than twelve (12) meeting stipends per fiscal year.
- 606 (b) *Meeting Stipends for an Elected Entity*. An individual serving on an elected entity
607 shall be paid no more than twenty-four (24) meeting stipends per fiscal year.
- 608 (c) *Demonstrating Presence During a Meeting*. An entity shall demonstrate the presence
609 of its members during a meeting by taking roll call on the record at both the beginning
610 and conclusion of a meeting.
- 611 (d) *Technological Issues Affecting Presence During a Meeting*. If a member of an entity
612 experiences a technological issue during a regular or emergency meeting held by

613 telephone, through videoconferencing, or through other telecommunications, and the
614 technological issue disrupts the member's presence during the meeting, the member shall
615 notify the entity of the technological issue as soon as possible.

616 (1) An exemption to the stipend eligibility requirement to be present for the entire
617 meeting may be granted if the entity certifies by a majority vote that the member
618 was present for a majority of the meeting despite the technological issue which
619 disrupted the member's presence during the meeting.

620 105.14-4. *Joint Meeting Stipends*. A member of an entity shall only receive a stipend for a joint
621 meeting where a quorum has been established in accordance with the duly adopted bylaws of
622 that entity, that lasts for at least one (1) hour, and the member collecting the stipend is present for
623 the entire meeting. Joint meetings can occur in person, by telephone, through videoconferencing,
624 or through other telecommunications.

625 (a) An individual shall receive a stipend for their attendance at a duly called joint
626 meeting.

627 (1) A joint meeting stipend does not count towards the limitation on meeting
628 stipends as provided for in section 105.13-3(a)-(b).

629 (b) *Demonstrating Presence During a Joint Meeting*. An entity shall demonstrate the
630 presence of its members during a joint meeting by taking roll call on the record at both
631 the beginning and conclusion of a joint meeting.

632 (c) *Technological Issues Affecting Presence During a Joint Meeting*. If a member of an
633 entity experiences a technological issue during a joint meeting held by telephone, through
634 videoconferencing, or through other telecommunications, and the technological issue
635 disrupts the member's presence during the joint meeting, the member shall notify the
636 entity of the technological issue as soon as possible.

637 (1) An exemption to the stipend eligibility requirement to be present for the entire
638 joint meeting may be granted if the entity certifies by a majority vote that the
639 member was present for a majority of the joint meeting despite the technological
640 issue which disrupted the member's presence during the joint meeting.

641 105.14-5. *Oneida Judiciary Hearings*. A member of an entity shall receive a Judiciary hearing
642 stipend if the member's attendance at the Judiciary hearing is required by official subpoena.

643 105.14-6. *Hearings of an Entity*. A member of an entity that maintains hearing authority may
644 obtain one hearing stipend for conducting a hearing administered by the entity. A hearing
645 consists of all functions related to the resolution of the matter, including, but not limited to,
646 decision drafting. A member may receive additional stipends for any continuation if a
647 continuation is necessary to resolve the matter.

648 105.14-7. *Other Stipends*. The Oneida Business Committee shall determine if, and when, any
649 other stipends are appropriate to compensate members of entities for their official actions. All
650 possible stipends shall be included in the Oneida Business Committee resolution which sets
651 stipend amounts.

652 105.14-8. *Virtual Meetings*. The entity may hold a virtual meeting pursuant to any requirements
653 established by the Oneida Business Committee and pursuant to any additional requirements
654 established by the entity. At a minimum those requirements for members shall be:

655 (a) The Chairperson shall open the meeting with an explanation for the record as to why
656 the meeting is being held virtually.

657 (b) The Chairperson shall take roll call at both the beginning and end of the virtual
658 meeting.

659 (c) All members shall keep their video camera on during the entire meeting.

660 (d) The Chairperson shall poll each individual member to vocalize their support,
661 opposition, or abstention to any motion.

662 105.14-9. *Conferences, Training, and Travel*. An appointed or elected member of any entity shall
663 be reimbursed in accordance with the Nation's policy for travel and per diem, for attending a
664 conference or training provided that:

665 (a) All entities shall be in compliance with the Nation's travel policies.

666 (b) A member shall be eligible for a stipend for attending a conference or training, when
667 attendance at the conference or training is required by law, bylaw, or resolution.

668 (1) The amount of the stipend a member is eligible to receive for attendance at a
669 conference or training shall be dependent on whether the member attended up to
670 four (4) hours of a conference or training, or more than four (4) hours of a
671 conference or training.

672 (c) A member shall not be eligible for a conference and training stipend if that training is
673 not required by law, bylaw, or resolution.

674 (d) No stipend payments shall be made for those days spent traveling to and from the
675 conference or training.

676 (e) The board, committee, or commission approves reimbursement for the member.

677 105.14-10. *Business Expenses*. All members of entities shall be eligible for reimbursement for
678 normal business expenses naturally related to membership in the entity.

679 (a) Before a member is eligible for reimbursement of normal business expenses, the
680 board, committee, or commission must approve such expenses.

681 105.14-11. *Task Force and Ad Hoc Subcommittees*. Members of task force, ad hoc committees
682 and subcommittees shall not be eligible for stipends unless specific exception is made by the
683 Oneida Business Committee or the Oneida General Tribal Council.

684

685 **105.15. Official Oneida Nation E-mail Address**

686 105.15-1. Each member of an entity shall be provided with an official Oneida e-mail address
687 upon election or appointment for the purpose of conducting business of the entity electronically.

688 (a) If a member is also an employee of the Nation, they shall receive a separate email
689 address from their regular work e-mail address.

690 (b) A member of an entity shall have thirty (30) days after appointment or election to
691 activate their official e-mail address.

692 (c) An individual who holds a position as an ad hoc or alternate member of an entity shall
693 be exempt from the requirement to be provided with an official e-mail address, unless
694 determined that an e-mail address is necessary for the role and responsibilities of the ad
695 hoc or alternate member.

696 (d) A member of an entity shall sign an acknowledgment form provided by the Secretary
697 indicating notice of the Nation's applicable computer and media related laws, policies,
698 and rules. The Secretary shall maintain a record of all such acknowledgment forms.

699 (e) A member of an entity shall exclusively use their official e-mail address to
700 electronically conduct any business of the entity.

701 (f) Immediately upon receipt of notice of a vacancy, the Secretary shall instruct the
702 Digital Technology Services department to disable the e-mail address for the member
703 having vacated the position.
704

705 **105.16. Standards of Conduct**

706 105.16-1. *Good Mind*. All members shall serve with a Good Mind guided by wisdom, compassion,
707 and responsibility and shall avoid actions or situations that give rise to the appearance of
708 impropriety, undue influence, or favoritism.

709 105.16-2. *Cultural Accountability*. Members are reminded that their conduct reflects not only on
710 themselves but on the Nation as a whole. They are expected to uphold the teachings of the Good
711 Mind, protect the well-being of the community, and serve with humility, honor, and respect.

712 105.16-3. *Prohibited Conduct*. Members are expected to walk with the Good Mind, honoring the
713 trust of the people and the teachings of the Great Law of Peace. The following conduct is prohibited
714 as it undermines the integrity of governance, the dignity of the Nation, and the responsibilities
715 entrusted to those who serve. No member shall:

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

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

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

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

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

726 (f) Falsify records, reports, or communications related to their official duties.

727 (g) Accept gifts, gratuities, or honoraria in violation of Section 105.16-10.

728 (h) Participate in decisions where a conflict of interest exists, as defined in Section 105.16-
729 8.

730 (i) Engage in nepotism or favoritism in hiring, supervision, or contracting, as prohibited in
731 Section 105.16-9.

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

734 105.16-4. *Attendance and Meeting Conduct*. Members shall honor their responsibility to
735 participate fully and professionally in the governance of the Nation. Attendance and conduct
736 during meetings reflect the integrity of leadership and the trust placed in members by the Oneida
737 people. Accordingly:

738 (a) *Commitment to Presence and Preparedness*. Members shall attend all scheduled
739 meetings unless excused or prevented by circumstances beyond their control. Absences
740 should be communicated promptly and with respect for the entity's ability to conduct
741 business. Members are expected to arrive prepared, having reviewed all materials
742 necessary for informed decision making.

743 (b) *Engagement and Respectful Dialogue*. Meetings shall be conducted in a manner that
744 upholds the Good Mind and fosters constructive dialogue. Members shall:

745 (1) Actively and thoughtfully participate.

- 746 (2) Contribute to deliberations with clarity and respect.
747 (3) Listen attentively to others, avoid interruptions, and ensure that all voices are
748 heard.
749 (4) Refrain from conduct that disrupts proceedings or diminishes the dignity of the
750 office.
- 751 (c) *Professionalism and Integrity in Deliberation.* Decisions shall be made based on merits,
752 facts, and the collective good of the Nation. Members shall:
- 753 (1) Avoid side conversations, electronic distractions, or any behavior that signals
754 disengagement.
755 (2) Maintain confidentiality of closed-session discussions and sensitive
756 information.
757 (3) Conduct themselves in a manner that reflects honor, impartiality, and
758 accountability.
- 759 (d) *Responsibility for Governance Continuity.* Attendance and participation are essential to
760 the functioning of the Nation's government. Persistent failure to meet these expectations
761 may constitute a breach of trust and be subject to review under enforcement provisions.
- 762 105.16-5. *Fair Dealing and Impartiality.* Members shall carry out their duties with fairness,
763 honesty, and impartiality, honoring the trust placed in them by the Oneida people. Members shall:
- 764 (a) Refrain from granting special treatment beyond what is available to others under the
765 law.
766 (b) Make decisions based solely on merit, facts, and the well-being of the Nation, free from
767 bias, favoritism, or personal interest.
768 (c) Avoid conduct that creates the appearance of impropriety or undermines community
769 trust.
770 (d) Treat all individuals with respect and dignity, and foster an environment of equity,
771 justice, and inclusion in governmental dealings.
- 772 105.16-6. *Accountability and Transparency.* Public service is a sacred responsibility. Members are
773 entrusted by the Oneida people to act with integrity, humility, and accountability. Their actions
774 shall reflect the values of the Nation and honor the trust placed in them by the community.
- 775 (a) *Duty to be Accountable:* Members shall be answerable to the Oneida people for their
776 decisions, conduct, and use of authority; explain their actions, accept responsibility for
777 mistakes, and take corrective steps when necessary. Accountability is not only a legal
778 obligation, but also a cultural duty rooted in respect for the people and the teachings of the
779 Good Mind.
- 780 (b) *Transparency in Governance.* Transparency is essential to maintaining the good mind
781 and the confidence of the people. Members shall:
- 782 (1) conduct public business in a manner that is open, honest, and accessible to the
783 community;
784 (2) provide timely and accurate information about decisions, policies, and the use
785 of Nation resources; and
786 (3) ensure that records, reports, and proceedings are maintained and made available
787 in accordance with the laws and customs of the Nation.
- 788 (c) *Community Engagement.* Members shall actively seek the voices of the people,
789 respecting the wisdom of elders, the concerns of families, and the guidance of traditional

790 knowledge. Decisions shall reflect the collective good and be made with the understanding
791 that leadership is a service to the Nation, not a privilege.

792 105.16-7. *Confidentiality*. All members of an entity shall maintain in a confidential manner all
793 information obtained through their position on the entity. The Nation requires that all members of
794 an entity who have access to the Nation's confidential information be subject to specific
795 limitations in order to protect the interest of the Nation and ensure that no individuals engaged by
796 the Nation, nor their relatives or associates, benefit from the use of confidential information.

797 (a) Confidential information shall be considered and kept as the private and privileged
798 records of the Nation and will not be divulged to any person, firm, corporation, or other
799 entity except by direct written authorization of the Oneida Business Committee.

800 (b) A member of an entity will continue to treat as private and privileged any confidential
801 information, and will not release any such information to any person, firm, corporation,
802 or other entity, either by statement, deposition, or as a witness, except upon direct written
803 authority of Oneida Business Committee, and the Nation shall be entitled to an injunction
804 by any competent court to enjoin and restrain the unauthorized disclosure of such
805 information. Such restriction continues after termination of the relationship with the
806 Nation and the entity.

807 (c) Upon completion or termination of their appointed or elected term of membership in
808 an entity, for any cause, the member of the entity will surrender to the Nation, in good
809 condition, all records kept by the member of the entity.

810 (d) No member of an entity shall disclose confidential information acquired by reason of
811 their other relationship or status with the Nation for their personal advantage, gain, or
812 profit, or for the advantage, gain, or profit of a relative or associate

813 (e) If a member does intentionally disclose confidential information, that member will be
814 subject to fines or penalties set forth in a fine and penalty schedule adopted by the Oneida
815 Business Committee.

816 (f) Any records created or obtained while serving as a member of an entity are the
817 property of the Nation and shall only be removed or destroyed by approval from a
818 majority vote of the entity at a duly called meeting. All removal or destruction of
819 documents shall be made in accordance with the Nation's laws and policies governing
820 open records and open meetings.

821 105.16-8. *Conflicts of Interest*. Members of an entity shall disclose a conflict of interest in
822 writing to the Secretary as soon as the conflict arises and update a conflict of interest disclosure
823 form with the Secretary on an annual basis.

824 (a) *Disclosure Forms*.

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

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

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

831 (b) Upon receiving information of a potential conflict of interest, the Secretary shall
832 request a determination from the Oneida Law Office whether further action shall be taken
833 by the Nation regarding the status of the official.

834 (1) Entities may develop an internal conflict of interest mitigation plan for eligible
835 conflicts in consultation with the Oneida Law Office, the Nation’s Human
836 Resources Department, and other departments of the Nation as needed.

837 (c) *Ineligibility Due to Conflicts of Interest.* Due to the potential for an actual or implied
838 conflict of interest, the following individuals may not be eligible to serve on an appointed
839 or elected entity unless they obtain approval from their immediate supervisor; the
840 individual may also be required to complete a conflict mitigation plan:

841 (1) political appointees;

842 (2) an employee of the Nation’s Internal Audit Department, Finance
843 Administration, Oneida Law Office, BCC Department, Government
844 Administrative Office, or Intergovernmental Affairs; and

845 (3) an employee who serves as a direct report to the Oneida Business Committee
846 or the Chief Executive Officer of Nation Services.

847 (d) *Ongoing Duty to Disclose.* Members who become aware of a conflict of interest shall
848 promptly disclose and comply with the requirements of the conflict of interest mitigation
849 plan.

850 105.16-9. *Nepotism Prohibited.* The Oneida people expect their leaders to act with integrity and
851 impartiality. Avoiding nepotism is essential to maintaining the trust between the government and
852 the community, and to ensuring that all Oneida people have equal opportunity to serve and
853 contribute to the Nation.

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

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

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

866 105.16-10. *Gifts and Honorarium.*

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

870 (b) *Reporting Requirements.* Members shall report any gift, honorarium, or sponsored
871 event with a fair market value of \$1000 or more that is given in connection with activities
872 organized by or participated in on behalf of the Nation.

873 (1) Sponsored events not paid for or reimbursed by the Nation or another
874 government entity for official duties, including fundraisers, social events,
875 recreational events, or entertainment events and any associated travel costs must be
876 recorded as a gift.

877 (2) Travel provided or reimbursed by a federal, state, or tribal government entity
878 for the purpose of carrying out official government functions, such as tribal

879 consultations, meetings, or trainings, is considered official business and is not
880 reportable under this section.

881 (c) *Gift Disclosure Form and Public Record.* Gifts or gratuities meeting the criteria in
882 105.16-10(b) shall be documented using the Gift Disclosure Form and submitted to the
883 Office of the Nation's Secretary within ten (10) business days of receipt.

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

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

888 (d) *Gifts below the Reporting Threshold.* Gifts or honoraria valued at \$999.00 or less are
889 not required to be reported on the Gift Disclosure Form.

890 (e) *Cultural and Ceremonial Gifts.* Gifts given in the context of traditional, ceremonial, or
891 cultural exchange may be exempt from reporting requirements, provided they are not of
892 significant monetary value and do not create a conflict of interest. Members are encouraged
893 to consult with the Oneida Law Office when in doubt.

894

895 **105.17. Use of the Nation's Assets**

896 105.17-1. Entities shall maintain all bank accounts for the Nation's funds in the name of the
897 Nation. Bank accounts will be reflected on the Nation's books in accordance with Generally
898 Accepted Accounting Principles.

899 105.17-2. Each member of an entity shall comply with the system of internal accounting controls
900 sufficient to provide assurances that:

901 (a) all transactions are executed in accordance with management's authorization; and

902 (b) access to assets is permitted only in accordance with management's authorization; and

903 (c) all transactions are recorded to permit preparation of financial statements in
904 conformity with Generally Accepted Accounting Principles or other applicable criteria.

905 105.17-3. Any evidence of noncompliance with any policy regarding the use of the Nation's
906 assets shall be immediately reported to the Internal Audit department. If the Internal Audit
907 department finds evidence of noncompliance, they shall notify the Oneida Law Office, who will
908 then provide a recommendation to the Government Administrative Office on how to proceed.

909

910 **105.18. Dissolution of an Entity**

911 105.18-1. *Dissolution of a Task Force or Ad Hoc Committee.* A task force or ad hoc committee
912 dissolves upon a set date or acceptance of a final report. Unless otherwise indicated, the
913 materials generated by a task force or ad hoc committee shall be forwarded to the BCC
914 Department for proper disposal within four (4) weeks of the dissolution.

915 105.18-2. *Dissolution of an Entity.* All other entities of the Nation shall be dissolved only by
916 motion of the Oneida General Tribal Council or the Oneida Business Committee.

917 105.18-3. *Notice of Dissolution.* Within five (5) business days of the Oneida General Tribal
918 Council or the Oneida Business Committee taking official action to dissolve an entity, the Oneida
919 Business Committee shall provide the entity with a written notice of the dissolution.

920 105.18-4. *Management of Records and Materials.* All Chairpersons and Secretaries of dissolved
921 entities shall be responsible for finalizing open business of the entity and forwarding all materials
922 and records to the BCC Department for proper storage and disposal within four (4) weeks of
923 dissolution. The entity shall not alter or destroy any records. The BCC Department may utilize

924 assistance of the Records Management Department or any other appropriate department for the
925 storage and disposal of the records and materials.

926 (a) The entity may request the Oneida Business Committee grant an extension of the time
927 allowed to close out open business of the entity and forward all materials and records to
928 the BCC Department.

929

930 **105.19. Enforcement**

931 105.19-1. Any appointed member of an entity found to be in violation of this law may be subject
932 to:

933 (a) termination of appointment by the Oneida Business Committee;

934 (b) loss of stipend; or

935 (1) When an appointed member's stipend is withheld, the Secretary shall submit
936 written notices to the member, the entity's Chairperson or Vice-Chairperson, as
937 applicable, and the BCC Department.

938 (c) any other penalty identified by the entity in the entity's bylaws.

939 105.19-2. Any elected member of an entity found to be in violation of this law may be subject to:

940 (a) loss of stipend or any other sanction and penalty in accordance with any laws or
941 policies of the Nation governing sanctions and penalties;

942 (b) removal pursuant to any laws or policies of the Nation governing removal; or

943 (c) any other penalty identified by the entity in the entity's bylaws.

944 105.19-3. All entities shall identify in their bylaws the procedures for withholding a member's
945 stipend and any other sanctions or penalties identified by that entity as long as those sanctions or
946 penalties meet the requirements of this law and all other laws, policies, and rules of the Nation.

947 105.19-4. *Appeal*. If applicable, a member shall have the right to appeal an enforcement action
948 pursuant to the requirements and procedures regarding appeals of the law under which the member
949 received a sanction or penalty.

950

951

952 *End.*

953

954

955 Adopted - BC-08-02-95-A

956 Amended - BC-05-14-97-F

957 Emergency Amended - BC-04-12-06-JJ Amended - BC-09-27-06-E (permanent adoption of emergency
958 amendments)

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963 Amended - BC-08-12-20-B