



LEGISLATIVE OPERATING COMMITTEE MEETING AGENDA
Business Committee Conference Room - 2nd Floor Norbert Hill Center
August 5, 2026
9:00 a.m.

- I. Call to Order and Approval of the Agenda**
- II. Minutes to be Approved**
 - 1. July 15, 2026 LOC Meeting Minutes (pg. 2)
- III. Current Business**
 - 1. Safe Neighborhoods Law (pg. 4)
 - 2. Petition: G. Powless-Buenrostro – Amend the Judiciary Law #2026-01 (pg.43)
 - 3. Boards, Committees, and Commissions Law Amendments (pg. 57)
 - 4. Code of Ethics Amendments (pg. 127)
- IV. New Submissions**
- V. Additions**
- VI. Administrative Updates**
 - 1. Legislative Operating Committee Fiscal Year 2026 Third Quarter Report (pg. 169)
- VII. Executive Session**
- VIII. Recess/Adjourn**



LEGISLATIVE OPERATING COMMITTEE MEETING MINUTES
Oneida Business Committee Conference Room-2nd Floor Norbert Hill Center
July 15, 2026
9:00 a.m.

Present: Jameson Wilson, Jonas Hill, Kirby Metoxen [*Microsoft Teams*]

Excused: Jennifer Webster

Others Present: Clorissa Leeman, Grace Elliott, Carolyn Salutz,

Others Present on Microsoft Teams: Ashley Blaker, Rhiannon Metoxen, Fawn Cottrell, David Jordan, Melissa Alvarado, Rae Skenandore, Kaylynn Biely, Jodi Tess, Shad Webster, Martin Prevost, Krystal John, Mkedemkokwe Montgomery-Elm, Kristal Hill, Fawn Billie, Efren Riveria, Joel Maxam, Thurston Denny, Eric McLester, Lora Danforth

I. Call to Order and Approval of the Agenda

Jameson Wilson called the July 15, 2026, Legislative Operating Committee meeting to order at 9:00 a.m.

Motion by Jonas Hill to adopt the agenda; seconded by Kirby Metoxen. Motion carried unanimously.

II. Minutes to be Approved

1. July 1, 2026 LOC Meeting Minutes

Motion by Jonas Hill to approve the July 1, 2026, LOC meeting minutes and forward to the Oneida Business Committee; seconded by Kirby Metoxen. Motion carried unanimously.

III. Current Business

1. Ten Day Notice Policy Amendments.

Motion by Jonas Hill to approve the public comment review memorandum, draft, and legislative analysis for the proposed amendments to the Ten Day Notice Policy; seconded by Kirby Metoxen. Motion carried unanimously.

Motion by Jonas Hill to approve the fiscal impact statement request memorandum and direct the Finance Department to provide the LOC with a fiscal impact statement of the Ten day Notice Policy amendments by July 29, 2026; seconded by Kirby Metoxen. Motion carried unanimously.



2. Boards, Committees, and Commissions Law Amendments.

Motion by Jonas Hill to approve the updated public comment review memorandum, draft, and legislative analysis for the proposed amendments to the Boards, Committees, and Commissions law; seconded by Kirby Metoxen. Motion carried unanimously.

Motion by Jonas Hill to approve the fiscal impact statement request memorandum and direct the Finance Department to provide the LOC with a fiscal impact statement of the Boards, Committees, and Commissions law amendments by July 29, 2026; seconded by Kirby Metoxen. Motion carried unanimously.

3. Safe Neighborhoods Law.

Motion by Jonas Hill to approve the draft and the legislative analysis of the proposed Safe Neighborhoods law; seconded by Kirby Metoxen. Motion carried unanimously.

IV. New Submissions**V. Additions****VI. Administrative Updates****VII. Executive Session****VIII. Adjourn**

Motion by Kirby Metoxen to adjourn at 9:19 a.m.; seconded by Jonas Hill. Motion carried unanimously.



Legislative Operating Committee
August 5, 2026

Safe Neighborhoods Law

Submission Date: 2/23/26	Public Meeting: N/A
LOC Sponsor: Jameson Wilson	Emergency Enacted: 2/25/26

Summary: *At the February 5, 2026, Oneida Business Committee work session, the Oneida Business Committee was made aware by the Oneida Law Office and Oneida Police Department that a Senior Probation and Parole Agent with the Wisconsin Department of Corrections - Division of Community Corrections, notified the Oneida Police Department of the pending release of a sex offender who has requested residence in a central location within the boundaries of the Oneida Reservation. This notification by the Wisconsin Department of Corrections brought to the forefront that the Nation currently lacks any laws to regulate the presence and residency of sex offenders within the boundaries of the reservation.*

The Legislative Operating Committee added the Safe Neighborhoods law to its Active Files List on an emergency basis on February 23, 2026. The purpose of the Safe Neighborhoods law is not to impose a criminal penalty but rather to serve the Nation's compelling interest to promote, protect, and improve the health, safety, and welfare of the reservation population by prohibiting convicted sex offenders from loitering or residing in specified areas around locations where vulnerable populations, including children, regularly congregate.

The Oneida Business Committee adopted the Safe Neighborhoods law on an emergency basis on February 25, 2026 through the adoption of BC-02-25-26-C. The emergency adoption of this law will expire on August 25, 2026. There will be one (1) opportunity to extend the emergency adoption of this law for an additional six (6) month period.

2/17/26: *Work Meeting. Present: Jameson Wilson, Kirby Metoxen, Jennifer Webster, Clorissa Leeman, Eric Boulanger, Joel Maxam, Brandon Vande Hei Kelly McAndrews, Krystal John, Stephanie Skenandore, Fawn Cottrell, Fawn Billie, Kristal Hill, Rhiannon Metoxen. The purpose of this work meeting was to review and discuss the potential emergency adoption of a law to address sex offender residency restrictions.*

2/18/26: *Work Meeting. Present: Jameson Wilson, Clorissa Leeman, Stephanie Skenandore, Kristal Hill, Joel Maxam, Kelly McAndrews, Rhiannon Metoxen, Fawn Cottrell, Brandon Vande Hei, Eric Boulanger, Fawn Billie, Krystal John, Grace Elliott. The purpose of this work meeting was to continue the discussion on the adoption of a law to address sex offender residency restrictions.*

2/23/26: *Work Meeting. Present: Jameson Wilson, Kirby Metoxen, Jennifer Webster, Jonas Hill, Clorissa Leeman, Kristal Hill, Rhiannon Metoxen, Fawn Cottrell, Fawn Billie. The purpose of this work meeting was to review updated emergency adoption materials prior to the e-poll being sent out in case there are any questions.*

2/23/26: *E-Poll Conducted. This e-poll was entitled, Safe Neighborhoods Law Emergency Adoption. The requested action of this e-poll was to add the Safe Neighborhoods law to the Active Files list with Jameson Wilson as the sponsor; and approve the Safe Neighborhoods law emergency*

adoption packet and forward to the Oneida Business Committee for consideration. This e-poll was approved by Jonas Hill, Jennifer Webster, Kirby Metoxen, and Jameson Wilson. Marlon Skenandore did not provide a response.

2/25/26 OBC: Motion by Lawrence Barton to adopt resolution # 02-25-26-C Emergency Adoption of the Safe Neighborhoods Law, seconded by Jennifer Webster. Motion carried.

3/4/26 LOC: Motion by Jennifer Webster to enter into the record the results of the February 23, 2026, e-poll entitled, Safe Neighborhoods Law Emergency Adoption; seconded by Jonas Hill. Motion Carried unanimously.

5/8/26: *Work Meeting.* Present: Jameson Wilson, Jennifer Webster, Jonas Hill, Clorissa Leeman, Kelly McAndrews, Stephanie Skeandore, Gregory Matson, Dana McLester, Scott Denny, Michelle Hill, Jennifer Garcia, Derrick Denny, Carolyn Salutz, Grace Elliott, Fawn Cottrell. The purpose of this work meeting was to review the law and begin discussing any additional amendments that need to be made for the permanent adoption of this law.

7/15/26 LOC: Motion by Jonas Hill to approve the draft and the legislative analysis of the proposed Safe Neighborhoods law; seconded by Kirby Metoxen. Motion carried unanimously.

Next Steps:

- Approve the public meeting packet for the proposed Safe Neighborhoods law and forward the Safe Neighborhoods law to a public meeting to be held on September 10, 2026.
- Approve the emergency adoption extension packet for the Safe Neighborhoods law and forward to the Oneida Business Committee for consideration.

ONEIDA NATION PUBLIC MEETING NOTICE**THURSDAY, SEPTEMBER 10 at 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

SAFE NEIGHBORHOODS LAW

The purpose of the Safe Neighborhoods is not to impose a criminal penalty but rather to serve the Nation's compelling interest to promote, protect, and improve the health, safety, and welfare of the reservation population by prohibiting sex offenders from loitering or residing in specified areas around locations where vulnerable populations, including children, regularly congregate.

The Safe Neighborhoods Law will:

- ♦ Prohibit a sex offender from being present or entering into specified prohibited locations, that are primarily focused on areas in which vulnerable populations, including children, are known to congregate, while also providing exceptions for when a sex offender may enter a prohibited area.
- ♦ Prohibit a sex offender from establishing a permanent residence or temporary residence within two thousand five hundred (2,500) feet of any prohibited location, while also providing exceptions for when a sex offender may have a residence less than two thousand five hundred (2,500) feet of any prohibited location.

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

PUBLIC COMMENT PERIOD CLOSSES THURSDAY, SEPTEMBER 17, 2026

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



For more information on the proposed Safe Neighborhoods law amendments please review the public meeting packet at [oneida-nsn.gov/government/register/public meetings](https://oneida-nsn.gov/government/register/public-meetings).



SAFE NEIGHBORHOODS LAW LEGISLATIVE ANALYSIS

SECTION 1. EXECUTIVE SUMMARY

<i>Analysis by the Legislative Reference Office</i>	
Intent of the Proposed Amendments	- Prohibit a sex offender from being present or entering into specified prohibited locations, that are primarily focused on areas in which vulnerable populations, including children, are known to congregate, while also providing exceptions for when a sex offender may enter a prohibited area. [3 O.C. 310.4]; - Prohibit a sex offender from establishing a permanent residence or temporary residence within two thousand five hundred (2,500) feet of any prohibited location, while also providing exceptions for when a sex offender may have a residence less than two thousand five hundred (2,500) feet of any prohibited location. [3 O.C. 310.5]; - Prohibits a person or entity from selling, leasing, subleasing, renting, conveying, or otherwise allowing a sex offender to stay in any place, structure, or part thereof with knowledge that it will be used as a permanent residence or temporary residence by any sex offender that is prohibited from establishing residence under this law. [3 O.C. 310.5-5]; - Provide a process to allow a sex offender to petition for a waiver of the residence restriction to the Oneida Police Department Chief of Police, and then appeal a denial of a waiver to the Oneida Public Safety and Security Commission. [3 O.C. 310.6]; - Requires the Geographic Information System Department to develop and maintain an official map of the reservation showing prohibited locations and the resulting residency restrictions distances that is made available on the Nation's website. [3 O.C. 310.7]; and - Provide for the enforcement of violations of this Law and subsequent penalties that are available. [3 O.C. 310.8].
Purpose	The purpose of this law is not to impose a criminal penalty but rather to serve the Nation's compelling interest to promote, protect, and improve the health, safety, and welfare of the reservation population by prohibiting sex offenders from loitering or residing in specified areas around locations where vulnerable populations, including children, regularly congregate. This law recognizes the right of sex offenders to reenter the community. Therefore, through this law the Nation balances its responsibility to sex offenders with its responsibility to protect the surrounding community by promoting regulatory measures which provide protections for the community that do not wholly prohibit sex offenders from being part of this community. [3 O.C. 310.1-1].
Affected Entities	Oneida Police Department, Oneida Nation Judiciary, Geographical Information Systems Department, Oneida Law Office, Comprehensive Housing Division, Reservation Community
Public Meeting	A public meeting has not yet been held.
Fiscal Impact	A fiscal impact statement has not yet been requested.

Expiration of Emergency Legislation	The emergency adoption of the Safe Neighborhoods Law expires on August 25, 2026. There is one (1) opportunity for a six (6) month extension of the emergency adoption of this Law.
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SECTION 2. LEGISLATIVE DEVELOPMENT

- A. *Background.*** The Safe Neighborhoods law (“the Law”) was a new law for the Nation adopted on an emergency basis for the purpose of not imposing a criminal penalty but rather to serve the Nation’s compelling interest to promote, protect, and improve the health, safety, and welfare of the reservation population by prohibiting sex offenders from loitering or residing in specified areas around locations where vulnerable populations, including children, regularly congregate. [3 O.C. 310.1-1]. This Law recognizes the right of sex offenders to reenter the community. *Id.* Therefore, through this Law the Nation balances its responsibility to sex offenders with its responsibility to protect the surrounding community by promoting regulatory measures which provide protections for the community that do not wholly prohibit sex offenders from being part of this community. *Id.*
- B. *Request for Emergency Amendments.*** At the February 5, 2026, Oneida Business Committee work session, the Oneida Business Committee was made aware by the Oneida Law Office and Oneida Police Department that a Senior Probation and Parole Agent with the Wisconsin Department of Corrections - Division of Community Corrections, notified the Oneida Police Department of the pending release of a sex offender who has requested residence in a central location within the boundaries of the reservation. This notification by the Wisconsin Department of Corrections brought to the forefront that the Nation currently lacks any laws to regulate the presence and residency of sex offenders within the boundaries of the reservation. The Oneida Business Committee was concerned regarding the safety and protection of the community and forwarded this issue to the Legislative Operating Committee for consideration.
- The Legislative Operating Committee determined that the Safe Neighborhoods law should be pursued on an emergency basis for the immediate preservation of the safety and general welfare of the reservation population. The Legislative Operating Committee added the Safe Neighborhoods law to its Active Files List with Jameson Wilson as the sponsor on February 23, 2026.
 - The Oneida Business Committee adopted the Safe Neighborhoods law on an emergency basis on February 25, 2026, through the adoption of resolution BC-02-25-26-C. The Oneida Business Committee determined the emergency adoption of this Law was necessary for the immediate preservation of the safety and general welfare of the reservation population since sex offenders are a serious threat to the public safety of vulnerable populations, including children, if regulatory measures are not in place that protect the community by reducing opportunity and temptation by prohibiting sex offenders from being present on or residing in specified areas designated as places where vulnerable populations commonly congregate. Observance of the requirements under the Legislative Procedures Act for adoption of this Law was contrary to public interest and the process and requirements of the Legislative Procedures Act could not be completed in time to allow the proposed Safe Neighborhoods law to be adopted and implemented in time to best protect the community.
 - The emergency adoption of the Safe Neighborhoods law will expire on August 25, 2026. There will be one (1) opportunity to extend the emergency adoption of the Safe Neighborhoods law for an additional six (6) month period.

SECTION 3. CONSULTATION AND OUTREACH

- A. Representatives from the following departments or entities participated in the development of the Law and this legislative analysis:
- Oneida Police Department;
 - Oneida Law Office;
 - Geographic Information Systems Department; and
 - Comprehensive Housing Division.
- B. The following laws of the Nation were reviewed in the drafting of this analysis:
- Legislative Procedures Act;
 - Eviction and Termination law;
 - Public Peace law; and
 - Citations Law.
- C. Ordinances regarding sex offender restrictions and residency restrictions from the following municipalities were reviewed in the development of this Law and legislative analysis:
- Allouez;
 - Angelica;
 - Ashwaubenon;
 - Bellevue;
 - Black River Falls;
 - Brookfield;
 - Cedarburg;
 - Clintonville;
 - Green Bay;
 - Hobart;
 - Howard;
 - Kewaskum;
 - Little Chute;
 - Paddock Lake;
 - Seymour; and
 - Suamico.

SECTION 4. PROCESS

- A. The development of the proposed Safe Neighborhoods law complies with the process set forth in the Legislative Procedures Act (LPA).
- On February 23, 2026, the Legislative Operating Committee conducted an e-poll entitled, Safe Neighborhoods Law Emergency Adoption. The requested action of this e-poll was to add the Safe Neighborhoods law to the Active Files list with Jameson Wilson as the sponsor; and approve the Safe Neighborhoods law emergency adoption packet and forward to the Oneida Business Committee for consideration. This e-poll was approved by Jonas Hill, Jennifer Webster, Kirby Metoxen, and Jameson Wilson. Marlon Skenandore did not provide a response.
 - On February 25, 2026, the Oneida Business Committee adopted a motion to adopt resolution # 02-25-26-C Emergency Adoption of the Safe Neighborhoods Law.
 - On March 4, 2026, the Legislative Operating Committee entered into the record the results of the February 23, 2026, e-poll entitled, Safe Neighborhoods Law Emergency Adoption.

- On July 15, 2026, the Legislative Operating Committee approved the draft and the legislative analysis of the Safe Neighborhoods law.
- B. The following work meetings were held regarding the development of this law and legislative analysis:
 - February 17, 2026: LOC work session with Oneida Law Office, Oneida Police Department, and the Geographical Information Systems Department.
 - February 18, 2026: LOC work session with Oneida Law Office, Oneida Police Department, and the Geographical Information Systems Department.
 - February 23, 2026: LOC work session.
 - May 8, 2026: LOC work session with the Oneida Law Office, Geographical Information Systems Department, Comprehensive Housing Division.

SECTION 5. CONTENTS OF THE LEGISLATION

- A. *Purpose and Policy.* The purpose of this Law is not to impose a criminal penalty but rather to serve the Nation's compelling interest to promote, protect, and improve the health, safety, and welfare of the reservation population by prohibiting sex offenders from loitering or residing in specified areas around locations where vulnerable populations, including children, regularly congregate. [3 O.C. 310.1-1]. This Law recognizes the right of sex offenders to reenter the community. *Id.* Therefore, through this Law the Nation balances its responsibility to sex offenders with its responsibility to protect the surrounding community by promoting regulatory measures which provide protections for the community that do not wholly prohibit sex offenders from being part of this community. *Id.* It is the policy of the Nation that due to the high rate of recidivism for sex offenders, the Nation declares that sex offenders are a serious threat to the public safety of vulnerable populations, including children, if regulatory measures are not in place that protect the community by reducing opportunity and temptation by prohibiting sex offenders from being present on or residing in specified areas designated as places where vulnerable populations commonly congregate. [3 O.C. 310.1-2].
- *Effect.* Overall, it is the goal of this Law to protect the public safety of the community, especially vulnerable populations such as children. Sexual offenses are serious crimes that pose a large risk to public safety.
 - The Dru Sjodin National Sex Public Website¹ provides information on sexual assault and sexual offending, including the following statistics:
 - As many as one (1) in four (4) girls and one (1) in twenty (20) boys experience sexual abuse before age eighteen (18).
 - Over their lifetime, nearly one (1) in five (5) women and one (1) in seventy-one (71) men reported experiencing rape at some time in their lives.
 - Approximately forty-five percent (45%) of women and twenty-two percent (22%) of men reported experiencing sexual violence other than rape in their lifetime.
 - Studies that have tracked adult sex offenders for longer periods of time show that the likelihood of re-offense for another sex crime ranges from five percent (5%) after three (3) years to twenty-four percent (24%) after fifteen (15) years.
 - Compared to other crimes, sexual violence is the most underreported violent crime in the United States. Approximately two (2) out of three (3) or sixty-five percent (65%) of adult

¹ <https://www.nsopw.gov/safety-and-education/questions-and-answers#6-0>

sexual assaults were not reported to the police between 2006-2010 and sixty-eight (68%) of violent victimizations of youth aged twelve (12) through seventeen (17) (includes rape/sexual assault, robbery and aggravated and simple assault) were not reported to police. The National Crime Victimization Survey 2016 found that only twenty-three percent (23%) of rapes and sexual assaults were reported to police.

- The National Sexual Violence Resource Center Website² provides information on sexual assault in the United States and, including the following statistics:
 - One (1) in five (5) women in the United States experienced completed or attempted rape during their lifetime.
 - Nearly a quarter (24.8%) of men in the U.S. experienced some form of contact sexual violence in their lifetime.
 - Nationwide, eighty-one percent (81%) of women and forty-three (43%) of men reported experiencing some form of sexual harassment and/or assault in their lifetime.
 - One (1) in three (3) female victims of completed or attempted rape experienced it for the first time between the ages of eleven (11) and seventeen (17).
 - About one (1) in four (4) male victims of completed or attempted rape first experienced it between the ages of eleven (11) and seventeen (17).

B. *Sex Offender.* The Law defines a sex offender as a person who is required to register under Wis. Stats. §301.45 for any sexual offense or as otherwise ordered by a court or is found to have committed a sex offense by another jurisdiction within the meaning of Wis. Stats. §301.45(1d)(am); is required to register under Wis. Stats. §301.45 and who has been designated a special bulletin (SBN) sex offender pursuant to Wis. Stats. §301.46 (2) and (2m); or within the ten (10) years prior to establishing a permanent or temporary residence within the reservation, has been convicted of or found not guilty by reason of disease or mental defect of a violation of Wis. Stats. §940.30 false imprisonment, if the victim was a minor and not offender's child, or Wis. Stats. §940.31 kidnapping, if the victim was a minor and not offender's child. [3 O.C. 310.3-1(i)].

- *Effect.* The Law clearly defines who the term sex offender applies to based on a person's requirement to register with the Wisconsin Sex Offender Registry and based on an individual's offense. The definition for sex offender requires the reader of the Law to also look to Wisconsin statutes on how sex offenders are defined and handled. Wis. Stat §301.45(b) provides that a "sex offense" means a violation, or the solicitation, conspiracy, or attempt to commit a violation, of s. 940.22 (2), 940.225 (1), (2) or (3), 944.06, 944.18, 948.02 (1) or (2), 948.025, 948.05, 948.051, 948.055, 948.06, 948.07 (1) to (4), 948.075, 948.08, 948.085, 948.095, 948.11 (2) (a) or (am), 948.12, 948.125, 948.13, or 948.30, of s. 940.302 (2) if s. 940.302 (2) (a) 1. b. applies, or of s. 940.30 or 940.31 if the victim was a minor and the person who committed the violation was not the victim's parent.

C. *Prohibited Locations.* The proposed Law sets forth locations where sex offenders are prohibited from entering or being present on. [3 O.C. 310.4-1]. Prohibited locations include a school; Tribal or other licensed day care or childcare center; park or park facility; playground or green space otherwise designated as a play or recreational area by the Nation's Planning Department; athletic field, including any practice field; library; community center; fitness center, recreation center, or gym; farmers market; place of worship; or any other place designated by the Nation as a place where vulnerable populations,

² <https://www.nsvrc.org/statistics/>

including children, are known to congregate. *Id.* The Law then goes on to provide exceptions to the prohibited locations to address situations in which the sex offender may be present in a prohibited location and not found to be in violation of this Law. [3 O.C. 310.4-2].

- *Effect.* The prohibited locations provided for in this Law are areas in which vulnerable populations, especially children, are known to congregate. Therefore, it is in the public’s best interest to prohibit a sex offender from entering or being present at those locations. Allowing certain exceptions to the prohibited locations ensure that a sex offender can still practice their basic rights like voting or practicing their religion, and have access to various services that a sex offender may need.

D. *Residence Restrictions.* The Law provides that no sex offender shall establish a permanent residence or temporary residence within two thousand five hundred (2,500) feet of any prohibited locations. [3 O.C. 310.5-1]. For purposes of determining the minimum distance of separation required for the permanent residence or temporary residence of a sex offender, the Law requires that a person measures by following a straight line from the outer property line of the permanent residence or temporary residence of the sex offender to nearest outer property line of the prohibited locations. [3 O.C. 310.5-2]. The Law then provides various exceptions for when a sex offender may actually reside within an area that would otherwise be prohibited. [3 O.C. 310.5-3].

- *Effect.* The Law provides that no sex offender can live within two thousand five hundred (2,500) feet of a prohibited location in an effort to reduce opportunity and temptation by prohibiting sex offenders from residing in specified areas near places where vulnerable populations commonly congregate. Below is a chart that demonstrates the various restrictions other Wisconsin municipalities place on the residence of a sex offender:

SEX OFFENDER RESIDENCE RESTRICTIONS	
<i>Municipality</i>	<i>Residence Restriction Distance Requirements</i>
Allouez	1500 feet
Angelica	2000 feet
Ashwaubenon	1500 feet
Bellevue	2500 feet
Black River Falls	750 feet
Brookfield	1400 feet
Cedarburg	200 feet
Clintonville	250 feet
Green Bay	1500 feet
Howard	2500 feet
Kewaskum	750 feet
Little Chute	2000 feet
Paddock Lake	1500 feet
Seymour	1500 feet
Suamico	1500 feet

E. *Prohibition of Sale, Lease, or Rental of Property.* The Law provides that no person or entity shall sell, lease, sublease, rent, convey, or otherwise allow a sex offender to stay in any place, structure, or part thereof with knowledge that it will be used as a permanent residence or temporary residence by any sex offender that is prohibited from establishing residence under this Law.

- *Effect.* Due to the serious threats to public safety a sex offender could have on a community if regulations are not in place and followed, the Law also places responsibility on a landlord, lessor,

or owner of a property to not sell, lease, sublease, rent, convey, or otherwise allow a sex offender to stay in any place where the sex offender would be prohibited. A landlord, lessor, or owner of a property who violates this Law may be subject to receiving a citation from the Oneida Police Department.

F. ***Waiver of Residence Restrictions.*** The Law allows a sex offender may request a waiver from the residence restrictions of this law by submitting a written request for a waiver to the Oneida Police Department prior to establishing a residence that would be in violation of this law. [3 O.C. 310.6-1]. A sex offender is not allowed to, under any circumstance, be deemed to have established a residence that would otherwise be in violation of this law without first having received permission as evidenced through a waiver. [3 O.C. 310.6-1(a)]. A sex offender cited for residing within a restricted area without first receiving a waiver shall not be eligible to receive a waiver thereafter. *Id.* The Law then provides the timeline and the various factors the Chief of Police may consider when reviewing a waiver request. [3 O.C. 310.6-2]. The Chief of Police can wither deny the waiver request, approve the waiver request, or approve a waiver request subject to certain conditions. [3 O.C. 310.6-3]. If the Chief of Police denies a waiver request, the sex offender may appeal the waiver decision made by the Chief of Police by submitting a written appeal to the Oneida Public Safety and Security Commission. [3 O.C. 310.6-4]. The Oneida Public Safety and Security Commission then can make a decision to uphold the Chief of Police’s denial of the waiver, or overturn the Chief of Police’s denial of the waiver and approve a waiver or a waiver subject to conditions. [3 O.C. 310.6-4(b)]. The Law also allows the Chief of Police to revoke a waiver of a residence restriction if the sex offender is found to have violated the conditions of the waiver or there is probable cause to believe the sex offender has committed an additional violent, heinous, or sexual criminal offense, which had occurred either before or after the waiver was issued. [3 O.C. 310.6-5].

- *Effect.* The Law allows a sex offender the opportunity and due process to request a waiver to establish a residence in an otherwise prohibited area when no other exception exists.

G. ***Map of Prohibited Locations and Residence Restrictions.*** The Law requires that the Geographic Information System Department maintain an official map of the reservation showing prohibited locations and the resulting residency restriction distances. [3 O.C. 310.7-1]. The Geographic Information System Department is required to review the map on an annual basis and update the map to reflect any changes in the prohibited locations. [3 O.C. 310.7-1(a)]. The map is required to be made available electronically on the Nation’s website. [3 O.C. 310.7-1(b)]. In regard to the map, the Law provides that the absence of a location on the map is not a defense to enforcement under this law where the sex offender is found to be within a prohibited location and circumstances make it clear that the sex offender had actual notice of that prohibited location. [3 O.C. 310.7-2].

- *Effect.* The map will provide a visual reference of areas within the reservation that are prohibited locations for sex offenders and the surrounding residency restriction distances required around each prohibited location. The map serves as a tool for sex offenders, or anyone in the community, to view what areas are protected throughout the reservation. Attached to the end of this legislative analysis are maps created by the Geographic Information Systems Department showing prohibited locations and resulting restricted residence areas in certain areas of the reservation. It is important to note that the map required by this Law does not illustrate where sex offenders reside. To find information regarding the location of specific sex offenders, or to conduct a geographical search to determine the location of sex offenders in a designated area an individual may utilize the following resources:

- Wisconsin Department of Corrections Sex Offender Registry at the following link <https://appsdoc.wi.gov/public>
- National Sex Offender Public Website at <https://www.nsopw.gov/search-public-sex-offender-registries>

H. *Enforcement and Penalties.* The Law provides that an individual who violates any provision of this Law may be subject to the issuance of a citation by an Oneida Police Department officer. [3 O.C. 310.8-1]. A citation for a violation of this Law or any orders issued pursuant to this Law may include fines and other penalties, as well as conditional orders made by the Trial Court. [3 O.C. 310.8-1(a)]. A citation for a violation of this law is required to be processed in accordance with the procedure contained in the Nation’s Citations law. [3 O.C. 310.8-1(b)]. The Law requires that Oneida Police Department provide notice to the Oneida Law Office of any citation, revocation, or conditioning of a waiver issued to an individual located at a property rented or leased through the Comprehensive Housing Division. [3 O.C. 310.8-1(c)]. Upon a finding by the Trial Court that a violation of this Law occurred, an individual may be subject to penalties such as fines, community service, participation in counseling or other programming, or any other as deemed appropriate by the Trial Court. [3 O.C. 310.8-2].

- *Effect.* The Law describes how enforcement will be handled through the use of citations, as well as describes potential penalties for violations of this Law the Trial Court may impose on a violator.

SECTION 6. EXISTING LEGISLATION

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

- ***Legislative Procedures Act.*** The Legislative Procedures Act was adopted by the General Tribal Council on January 7, 2013, for the purpose of providing a standard process for the adoption of laws of the Nation which includes taking into account comments from members of the Nation and input from agencies of the Nation. [1 O.C. 109.1-1, 109.1-2].
 - The development of the Safe Neighborhoods law complies with the requirements of the Legislative Procedures Act.
- ***Citations Law.*** The Citations law provides a process that governs all citations that fall under the jurisdiction of the Oneida Nation. [8 O.C. 807.1-1]. It is the policy of the Nation to provide a consistent process for handling citations of the Nation in order to ensure equal and fair treatment to all persons who come before the Judiciary to have their citations resolved. [8 O.C. 807.1-2].
 - The Safe Neighborhoods law provides that an individual who violates a provision of this law may be subject to the issuance of a citation by an Oneida Police Department officer in accordance with the Nation’s laws and policies governing citations. [3 O.C. 310.8-1].
 - Any citations issues under the Safe Neighborhoods law must comply with the process for handling citations as provided for in the Citations law.
- ***Eviction and Termination Law.*** The Eviction and Termination law provides consistent procedures relating to the Nation’s rental and leasing programs for terminating a contract and/or evicting an occupant which affords the applicant due process and protects all parties involved. [6 O.C. 610.1-1]. It is the Nation’s policy to provide fair termination and eviction processes that preserve the peace, harmony, safety, health, general welfare and the Nation’s resources. [6 O.C. 610.1-2].
 - The Eviction and Termination law provides that an owner may terminate the contract prior to the contract term and evict the occupant, if the occupant violates the terms of the

contract; is alleged to have violated any applicable law or rule; and/or is alleged to have committed one or more nuisance activities.

- The Safe Neighborhoods law provides that no person or entity shall sell, lease, sublease, rent, convey, or otherwise allow a sex offender to stay in any place, structure, or part thereof with knowledge that it will be used as a permanent residence or temporary residence by any sex offender that is prohibited from establishing residence under this law. [3 O.C. 310.5-5].
- An individual who violates by Safe Neighborhoods law may be subject to the early termination of a contract or eviction in accordance with the Eviction and Termination law.

SECTION 7. OTHER CONSIDERATIONS

A. *Deadline for Permanent Adoption of Legislation.* The emergency adoption of this Law expires six (6) months after adoption. The emergency legislation may be renewed for an additional six (6) month period.

- *Conclusion:* The Legislative Operating Committee will need to develop for adoption the permanent Law within the next six (6) to twelve (12) months.

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

- *Conclusion.* The Legislative Operating Committee has not yet requested a fiscal impact statement be developed.

Title 3. Health & Public Safety - Chapter 310 SAFE NEIGHBORHOODS

310.1. Purpose and Policy
310.2. Adoption, Amendment, Repeal
310.3. Definitions
310.4. Prohibited Locations
310.5. Residence Restrictions

310.6. Waiver of Residence Restrictions
310.7. Map of Prohibited Locations and Residence Restriction
Distances
310.8. Enforcement and Penalties

310.1. Purpose and Policy

310.1-1. *Purpose.* The purpose of this law is not to impose a criminal penalty but rather to serve the Nation's compelling interest to promote, protect, and improve the health, safety, and welfare of the reservation population by prohibiting sex offenders from loitering or residing in specified areas around locations where vulnerable populations, including children, regularly congregate. This law recognizes the right of sex offenders to reenter the community. Therefore, through this law the Nation balances its responsibility to sex offenders with its responsibility to protect the surrounding community by promoting regulatory measures which provide protections for the community that do not wholly prohibit sex offenders from being part of this community.

310.1-2. *Policy.* It is the policy of the Nation that due to the high rate of recidivism for sex offenders, the Nation declares that sex offenders are a serious threat to the public safety of vulnerable populations, including children, if regulatory measures are not in place that protect the community by reducing opportunity and temptation by prohibiting sex offenders from being present on or residing in specified areas designated as places where vulnerable populations commonly congregate.

310.2. Adoption, Amendment, Repeal

310.2-1. This law was adopted by the Oneida Business Committee ~~on an emergency basis by resolution BC-02-25-26-C-~~ - - - .

310.2-2. This law may be amended or repealed by the Oneida Business Committee or General Tribal Council pursuant to the procedures set out in the Legislative Procedures Act.

310.2-3. Should a provision of this law or the application thereof to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this law which are considered to have legal force without the invalid portions.

310.2-4. In the event of a conflict between a provision of this law and a provision of another law, the provisions of this law shall control.

310.2-5. This law is adopted under authority of the Constitution of the Oneida Nation.

310.3. Definitions

310.3-1. This section shall govern the definitions of words and phrases used within this law. All words not defined herein shall be used in their ordinary and everyday sense.

(a) "Day" means calendar day.

(b) "Immediate family" means individual's husband, wife, mother, father, son, daughter, brother, sister, grandparent, grandchild, and any of the these relations attained through legal adoption or marriage.

(c) "Judiciary" means the Oneida Nation Judiciary, as identified in Article V of the Constitution and Bylaws of the Oneida Nation, which is the judicial system that was established by Oneida General Tribal Council resolution GTC-01-07-13-B, and then later

authorized to administer the judicial authorities and responsibilities of the Nation by Oneida General Tribal Council resolution GTC-03-19-17-A.

(d) “Nation” means the Oneida Nation.

(e) “Oneida Public Safety and Security Commission” means the entity made up of those individuals appointed by the Oneida Business Committee to provide oversight regarding the activities and actions of public safety and security operations throughout the Reservation.

(f) “Park” means any outdoor area held open for use by the public, including, but not limited to a public park, parkway, campground, recreation or open access space area, beach, conservation area, lake access point, recreation trail/route, or Safe Route, by whatever name such area is known by.

(g) “Permanent residence” means a place where the person abides, lodges, or resides for fourteen (14) or more consecutive days.

(h) “Reservation” means all land within the exterior boundaries of the Reservation of the Oneida Nation, as created pursuant to the 1838 Treaty with the Oneida 7 Stat. 566, and any lands added thereto pursuant to federal law.

(i) “Sex offender” means a person who:

(1) Is required to register under Wis. Stats. §301.45 for any sexual offense or as otherwise ordered by a court or is found to have committed a sex offense by another jurisdiction within the meaning of Wis. Stats. §301.45(1d)(am);

(2) Is required to register under Wis. Stats. §301.45 and who has been designated a special bulletin (SBN) sex offender pursuant to Wis. Stats. §301.46 (2) and (2m); or

(3) Within the ten (10) years prior to establishing a permanent or temporary residence within the reservation, has been convicted of or found not guilty by reason of disease or mental defect of a violation of Wis. Stats. §940.30 False Imprisonment, if the victim was a minor and not offender’s child, or Wis. Stats. §940.31 kidnapping, if the victim was a minor and not offender’s child.

(j) “Temporary residence” means a place where the person abides, lodges or resides for a period of four (4) or more days within a thirty (30) day period, or for a period of fourteen (14) or more days during any calendar year and which is not the person's permanent address.

(k) “Trial Court” means the Trial Court of the Oneida Nation Judiciary.

310.4. Prohibited Locations

310.4-1. *Prohibited Locations*. No sex offender shall enter or be present on any property upon which there exists any:

(a) school;

(b) Tribal or other licensed day care or childcare center;

(c) park or park facility;

(d) playground or green space otherwise designated as a play or recreational area by the Nation’s ~~planning department~~ Planning Department;

(e) athletic field, including any practice field;

(f) library;

(g) community center;

(h) fitness center, recreation center, or gym;

(i) farmers market;

(j) place of worship;

(k) any other place designated by the Nation as a place where vulnerable populations, including children, are known to congregate.

310.4-2. *Prohibited Locations Exceptions.* A sex offender present in a prohibited location as identified in section 310.4-1 of this law shall not be found to have committed an offense if any of the following apply:

(a) The property also supports a place of worship, subject to the following conditions:

(1) Entrance and presence on the property may occur only during hours of worship or other religious program or service; and

(2) The sex offender shall not participate in any religious education programs that include individuals under the age of eighteen (18).

(b) The property also supports a use lawfully attended by the sex offender's natural or adopted child, which child's use reasonably requires the attendance of the sex offender, provided that entrance and presence on the property occurs only during hours of activity related to the use by the child.

(c) The property also supports a polling location in a local, state, or federal election, subject to the following conditions:

(1) The sex offender is eligible to vote;

(2) The polling location is the designated polling location for the sex offender; and

(3) The sex offender casts their ballot with whatever usual and customary assistance is available and vacates the property immediately after voting.

(d) The property also supports a school lawfully attended by the sex offender as a student, provided that the sex offender may only remain on the property at such times that are reasonably required for their educational purposes.

(e) The property is accessed for use of a medical facility or clinic, behavioral health clinic, police station, food security services, economic or social services, or other governmental building not otherwise enumerated in 310.4-1 of this law, provided that the sex offender vacates the property immediately after completing the activity or service that required their presence at the property.

(1) Any department of the Nation in a property providing services as referenced in the subsection above shall have a standard operating procedure regarding providing for a sex offender's access for services in these particular locations.

310.5. Residence Restrictions

310.5-1. *Prohibited Location of Residence.* No sex offender shall establish a permanent residence or temporary residence within two thousand five hundred (2,500) feet of any prohibited locations identified in section 310.4-1 of this law.

310.5-2. *Measurement of Distance.* For purposes of determining the minimum distance of separation required for the permanent residence or temporary residence of a sex offender, the requirement shall be measured by following a straight line from the outer property line of the permanent residence or temporary residence of the sex offender to nearest outer property line of the prohibited locations identified in section 310.4-1 of this law.

310.5-3. *Residency Restriction Exceptions.* A sex offender residing within an area otherwise prohibited by this law does not commit an offense if any of the following apply:

(a) The sex offender is required to serve a sentence at a jail, prison, juvenile facility, or other facility located at the otherwise prohibited location.

(b) The sex offender had established and registered a permanent residence within a restricted area prior to the effective date of this law.

(1) In such circumstances, a sex offender who duly registered their permanent residence address before residency restrictions were adopted by the Nation shall be deemed to have received a waiver, provided that this waiver may be revoked in accordance with section 310.6-5 of this law.

(c) The prohibited location identified in section 310.4-1 of this law was established after the sex offender established a permanent residence at the location and registered that residence as required by law.

(d) The sex offender is a minor or ward under guardianship.

(e) The sex offender's most recent offense occurred more than ten (10) years ago and it has been at least ten (10) years since the sex offender has completed any period of incarceration or court mandated supervision for any offense.

310.5-5. *Prohibition of Sale, Lease, or Rental of Property.* No person or entity shall sell, lease, sublease, rent, convey, or otherwise allow a sex offender to stay in any place, structure, or part thereof with knowledge that it will be used as a permanent residence or temporary residence by any sex offender that is prohibited from establishing residence under this law.

310.6. Waiver of Residence Restrictions

310.6-1. *Petition for Residence Restriction Waiver.* A sex offender may request a waiver from the residence restrictions provided in section 310.5-1 of this law by submitting a written request for a waiver, including any pertinent rationale for a waiver, to the Oneida Police Department prior to establishing a residence that would be in violation of this law.

(a) A sex offender shall not, under any circumstance, be deemed to have established a residence that would otherwise be in violation of this law without first having received permission as evidenced through a waiver. A sex offender cited for residing within a restricted area without first receiving a waiver shall not be eligible to receive a waiver thereafter.

310.6-2. *Review of Waiver Request.* The Chief of Police or their designee shall conduct a review of the request for a waiver using any pertinent information and the following factors related to the Nation's interest in promoting, protecting, and improving the health, safety, and welfare of the community:

- (a) The nature of the offense causing the individual to be a sex offender;
- (b) Police reports related to the predicate offense if available;
- (c) Proximity of the requested residence to the victim;
- (d) The age of the offense, offender, and victim;
- (e) Recommendation of the probation or parole officer, if one exists;
- (f) Recommendation of the police department;
- (g) Recommendation of any treatment practitioner;
- (h) Proposals for safety measures and assurances by the sex offender;
- (i) Conditions to be placed on any exception or variance from the requirements of this law;
- (j) Support systems in place by the sex offender;
- (k) Who the sex offender will be or is living with at the prohibited location;
- (l) Statements of the surrounding community or victim;
- (m) Treatment, sobriety, or rehabilitative measures taken by the sex offender;
- (n) The sex offender's current employment or social activities;
- (o) The sex offender's criminal history; and

(p) Whether the sex offender meets any of the exceptions provided for in this law.
310.6-3. *Approval or Denial of Waiver.* Within fourteen (14) days of receiving a waiver request, the Chief of Police or their designee shall issue a written decision to the sex offender by first class mail, to the address provided by the requestor, in regard to the request for a residence restriction waiver.

(a) The decision of the Chief of Police or their designee shall be one (1) of the following:

(1) denial of the waiver;

(1) approval of the waiver; or

(2) approval of the waiver subject to necessary conditions.

(A) Conditions may include, but are not limited to, the following:

(i) curfew restrictions;

(ii) cohabitation restrictions or requirements;

(iii) sobriety restrictions;

(iv) conduct restrictions; and/or

(v) any other decision deemed reasonable and necessary by the Chief of Police.

(b) Any request for a waiver which has not been approved, approved for a conditional waiver, or denied by the Chief of Police or their designee within thirty (14) days of the request shall be deemed to be denied unless the Chief of Police provides written notice to the sex offender that a one (1) time extension of ten (10) days would be required to make a decision on the waiver.

(c) If a waiver is granted by the Chief of Police or their designee, the exemption shall only apply to the specific sex offender who had applied for the waiver at the requested residence and shall not be transferable to any other or to any other location.

(d) A waiver expires when the sex offender who was granted the waiver changes their residence.

310.6-4. *Appeal of Waiver Decision.* A sex offender may appeal the waiver decision made by the Chief of Police or their designee by submitting a written appeal to the Oneida Public Safety and Security Commission within ten (10) days from the date the waiver decision was postmarked.

(a) The Oneida Public Safety and Security Commission shall make a decision regarding the appeal of the Chief of Police or their designee's decision within fourteen (14) days of receipt of the appeal.

(1) The Oneida Public Safety and Security Commission may use a one (1) time extension of ten (10) days to make a decision on the waiver appeal by providing written notice of the extension to the Chief of Police and the sex offender.

(b) The Oneida Public Safety and Security Commission shall make one of the following decisions in regard to the appeal:

(1) Uphold the Chief of Police or their designee's denial of the waiver; or

(2) Overturn the Chief of Police or their designee's denial of the waiver and approve:

(A) a waiver; or

(B) a waiver subject to conditions.

(c) The decision of the Oneida Public Safety and Security Commission shall be in writing and provided to the sex offender and the Chief of Police.

310.6-5. *Revocation of Waiver.* A waiver issued by the Chief of Police or their designee or the Oneida Public Safety and Security Commission may be revoked by the Chief of Police or their designee if the sex offender is found to have violated the conditions of the waiver or there is

probable cause to believe the sex offender has committed an additional violent, heinous, or sexual criminal offense, which had occurred either before or after the waiver was issued.

- (a) The Chief of Police or their designee shall provide written notice to the sex offender that the exemption or conditional exemption has been revoked and/or further conditioned.

310.7. Map of Prohibited Locations and Residence Restriction Distances

310.7-1. The Geographic Information System Department shall maintain an official map of the reservation showing prohibited locations and the resulting residency restriction distances.

- (a) The Geographic Information System Department shall review the map on an annual basis and update the map to reflect any changes in the prohibited locations.

- (b) The map shall be made available electronically on the Nation's website.

310.7-2. The absence of a location on the map shall not be a defense to enforcement under this law where the sex offender is found to be within a prohibited location and circumstances make it clear that the sex offender had actual notice of that prohibited location.

310.8. Enforcement and Penalties

310.8-1. *Issuance of a Citation.* An individual who violates any provision of this law may be subject to the issuance of a citation by an Oneida Police Department officer.

- (a) A citation for a violation of this law or any orders issued pursuant to this law may include fines and other penalties, as well as conditional orders made by the Trial Court.

- (b) A citation for a violation of this law shall be processed in accordance with the procedure contained in the Nation's laws and policies governing citations.

- (c) *Notice to the Comprehensive Housing Division.* The Oneida Police Department shall provide notice to the Oneida Law Office ~~attorney assigned to the Comprehensive Housing Division~~ of any citation, revocation, or conditioning of a waiver issued to an individual located at a property rented or leased through the Comprehensive Housing Division.

~~(1) Any information or reports shared by the Oneida Police Department officer with the Oneida Law Office attorney shall be redacted by the Oneida Law Office attorney as agreed upon between the Oneida Law Office and the Oneida Police Department Chief of Police prior to release to the Comprehensive Housing Division for potential lease or rental enforcement.~~

310.8-2. *Penalties.* Upon a finding by the Trial Court that a violation of this law has occurred, the individual may be subject to the following penalties:

- (a) *Fines.* An individual may be ordered to pay a fine as a result of a violation of this law. The Oneida Business Committee shall adopt through resolution a citation schedule which sets forth specific fine amounts for violations of this law.

- (1) All fines shall be paid to the Judiciary.

- (2) Fines shall be paid within ninety (90) days after the order is issued or upheld on final appeal, whichever is later.

- (A) The ninety (90) day deadline for payment of fines may be extended if an alternative payment plan is negotiated by the Oneida Law Office and approved by the Trial Court.

- (3) If an individual does not pay their fine the Trial Court may seek to collect the money owed through the Nation's garnishment and/or per capita attachment process or any other collection process available to the Trial Court.

- (4) Community service may be substituted for part or all of any fine at the minimum wage rate of the Nation for each hour of community service.

(b) *Community Service*. An individual may be ordered to perform community service. Community service can be used in lieu of, or in addition to, a fine.

(1) All community service assignments shall be approved by the Trial Court. The Trial Court shall give preference to culturally relevant community service assignments or community service assignments that focus on the betterment of the individual's community.

(2) The Trial Court shall provide the individual a written statement of the terms of the community service order, and a statement that the community service order is monitored.

(3) The Trial Court's community service order shall specify:

(A) how many hours of community service the individual is required to complete;

(B) the time frame in which the hours shall be completed;

(C) how the individual shall obtain approval for their community service assignment;

(D) how the individual shall report their hours; and

(E) any other information the Trial Court determines is relevant.

(c) *Counseling or other Programs*. An individual may be ordered to participate in counseling or any other program relevant and available to the Nation.

(d) Any other penalty as deemed appropriate by the Trial Court.

End.

Emergency Adopted – BC-02-25-26-C

Emergency Extended – BC- - - -
Adopted – BC- - - -

Title 3. Health & Public Safety - Chapter 310

SAFE NEIGHBORHOODS

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Distances
310.8. Enforcement and Penalties

310.1. Purpose and Policy

310.1-1. *Purpose.* The purpose of this law is not to impose a criminal penalty but rather to serve the Nation's compelling interest to promote, protect, and improve the health, safety, and welfare of the reservation population by prohibiting sex offenders from loitering or residing in specified areas around locations where vulnerable populations, including children, regularly congregate. This law recognizes the right of sex offenders to reenter the community. Therefore, through this law the Nation balances its responsibility to sex offenders with its responsibility to protect the surrounding community by promoting regulatory measures which provide protections for the community that do not wholly prohibit sex offenders from being part of this community.

310.1-2. *Policy.* It is the policy of the Nation that due to the high rate of recidivism for sex offenders, the Nation declares that sex offenders are a serious threat to the public safety of vulnerable populations, including children, if regulatory measures are not in place that protect the community by reducing opportunity and temptation by prohibiting sex offenders from being present on or residing in specified areas designated as places where vulnerable populations commonly congregate.

310.2. Adoption, Amendment, Repeal

310.2-1. This law was adopted by the Oneida Business Committee by resolution BC-__-__-__-__.

310.2-2. This law may be amended or repealed by the Oneida Business Committee or General Tribal Council pursuant to the procedures set out in the Legislative Procedures Act.

310.2-3. Should a provision of this law or the application thereof to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this law which are considered to have legal force without the invalid portions.

310.2-4. In the event of a conflict between a provision of this law and a provision of another law, the provisions of this law shall control.

310.2-5. This law is adopted under authority of the Constitution of the Oneida Nation.

310.3. Definitions

310.3-1. This section shall govern the definitions of words and phrases used within this law. All words not defined herein shall be used in their ordinary and everyday sense.

(a) "Day" means calendar day.

(b) "Immediate family" means individual's husband, wife, mother, father, son, daughter, brother, sister, grandparent, grandchild, and any of the these relations attained through legal adoption or marriage.

(c) "Judiciary" means the Oneida Nation Judiciary, as identified in Article V of the Constitution and Bylaws of the Oneida Nation, which is the judicial system that was established by Oneida General Tribal Council resolution GTC-01-07-13-B, and then later

authorized to administer the judicial authorities and responsibilities of the Nation by Oneida General Tribal Council resolution GTC-03-19-17-A.

(d) “Nation” means the Oneida Nation.

(e) “Oneida Public Safety and Security Commission” means the entity made up of those individuals appointed by the Oneida Business Committee to provide oversight regarding the activities and actions of public safety and security operations throughout the Reservation.

(f) “Park” means any outdoor area held open for use by the public, including, but not limited to a public park, parkway, campground, recreation or open access space area, beach, conservation area, lake access point, recreation trail/route, or Safe Route, by whatever name such area is known by.

(g) “Permanent residence” means a place where the person abides, lodges, or resides for fourteen (14) or more consecutive days.

(h) “Reservation” means all land within the exterior boundaries of the Reservation of the Oneida Nation, as created pursuant to the 1838 Treaty with the Oneida 7 Stat. 566, and any lands added thereto pursuant to federal law.

(i) “Sex offender” means a person who:

(1) Is required to register under Wis. Stats. §301.45 for any sexual offense or as otherwise ordered by a court or is found to have committed a sex offense by another jurisdiction within the meaning of Wis. Stats. §301.45(1d)(am);

(2) Is required to register under Wis. Stats. §301.45 and who has been designated a special bulletin (SBN) sex offender pursuant to Wis. Stats. §301.46 (2) and (2m); or

(3) Within the ten (10) years prior to establishing a permanent or temporary residence within the reservation, has been convicted of or found not guilty by reason of disease or mental defect of a violation of Wis. Stats. §940.30 False Imprisonment, if the victim was a minor and not offender’s child, or Wis. Stats. §940.31 kidnapping, if the victim was a minor and not offender’s child.

(j) “Temporary residence” means a place where the person abides, lodges or resides for a period of four (4) or more days within a thirty (30) day period, or for a period of fourteen (14) or more days during any calendar year and which is not the person's permanent address.

(k) “Trial Court” means the Trial Court of the Oneida Nation Judiciary.

310.4. Prohibited Locations

310.4-1. *Prohibited Locations*. No sex offender shall enter or be present on any property upon which there exists any:

(a) school;

(b) Tribal or other licensed day care or childcare center;

(c) park or park facility;

(d) playground or green space otherwise designated as a play or recreational area by the Nation’s Planning Department;

(e) athletic field, including any practice field;

(f) library;

(g) community center;

(h) fitness center, recreation center, or gym;

(i) farmers market;

(j) place of worship;

(k) any other place designated by the Nation as a place where vulnerable populations, including children, are known to congregate.

310.4-2. *Prohibited Locations Exceptions.* A sex offender present in a prohibited location as identified in section 310.4-1 of this law shall not be found to have committed an offense if any of the following apply:

(a) The property also supports a place of worship, subject to the following conditions:

(1) Entrance and presence on the property may occur only during hours of worship or other religious program or service; and

(2) The sex offender shall not participate in any religious education programs that include individuals under the age of eighteen (18).

(b) The property also supports a use lawfully attended by the sex offender's natural or adopted child, which child's use reasonably requires the attendance of the sex offender, provided that entrance and presence on the property occurs only during hours of activity related to the use by the child.

(c) The property also supports a polling location in a local, state, or federal election, subject to the following conditions:

(1) The sex offender is eligible to vote;

(2) The polling location is the designated polling location for the sex offender; and

(3) The sex offender casts their ballot with whatever usual and customary assistance is available and vacates the property immediately after voting.

(d) The property also supports a school lawfully attended by the sex offender as a student, provided that the sex offender may only remain on the property at such times that are reasonably required for their educational purposes.

(e) The property is accessed for use of a medical facility or clinic, behavioral health clinic, police station, food security services, economic or social services, or other governmental building not otherwise enumerated in 310.4-1 of this law, provided that the sex offender vacates the property immediately after completing the activity or service that required their presence at the property.

(1) Any department of the Nation in a property providing services as referenced in the subsection above shall have a standard operating procedure regarding providing for a sex offender's access for services in these particular locations.

310.5. Residence Restrictions

310.5-1. *Prohibited Location of Residence.* No sex offender shall establish a permanent residence or temporary residence within two thousand five hundred (2,500) feet of any prohibited locations identified in section 310.4-1 of this law.

310.5-2. *Measurement of Distance.* For purposes of determining the minimum distance of separation required for the permanent residence or temporary residence of a sex offender, the requirement shall be measured by following a straight line from the outer property line of the permanent residence or temporary residence of the sex offender to nearest outer property line of the prohibited locations identified in section 310.4-1 of this law.

310.5-3. *Residency Restriction Exceptions.* A sex offender residing within an area otherwise prohibited by this law does not commit an offense if any of the following apply:

(a) The sex offender is required to serve a sentence at a jail, prison, juvenile facility, or other facility located at the otherwise prohibited location.

(b) The sex offender had established and registered a permanent residence within a restricted area prior to the effective date of this law.

(1) In such circumstances, a sex offender who duly registered their permanent residence address before residency restrictions were adopted by the Nation shall be deemed to have received a waiver, provided that this waiver may be revoked in accordance with section 310.6-5 of this law.

(c) The prohibited location identified in section 310.4-1 of this law was established after the sex offender established a permanent residence at the location and registered that residence as required by law.

(d) The sex offender is a minor or ward under guardianship.

(e) The sex offender's most recent offense occurred more than ten (10) years ago and it has been at least ten (10) years since the sex offender has completed any period of incarceration or court mandated supervision for any offense.

310.5-5. *Prohibition of Sale, Lease, or Rental of Property.* No person or entity shall sell, lease, sublease, rent, convey, or otherwise allow a sex offender to stay in any place, structure, or part thereof with knowledge that it will be used as a permanent residence or temporary residence by any sex offender that is prohibited from establishing residence under this law.

310.6. Waiver of Residence Restrictions

310.6-1. *Petition for Residence Restriction Waiver.* A sex offender may request a waiver from the residence restrictions provided in section 310.5-1 of this law by submitting a written request for a waiver, including any pertinent rationale for a waiver, to the Oneida Police Department prior to establishing a residence that would be in violation of this law.

(a) A sex offender shall not, under any circumstance, be deemed to have established a residence that would otherwise be in violation of this law without first having received permission as evidenced through a waiver. A sex offender cited for residing within a restricted area without first receiving a waiver shall not be eligible to receive a waiver thereafter.

310.6-2. *Review of Waiver Request.* The Chief of Police or their designee shall conduct a review of the request for a waiver using any pertinent information and the following factors related to the Nation's interest in promoting, protecting, and improving the health, safety, and welfare of the community:

- (a) The nature of the offense causing the individual to be a sex offender;
- (b) Police reports related to the predicate offense if available;
- (c) Proximity of the requested residence to the victim;
- (d) The age of the offense, offender, and victim;
- (e) Recommendation of the probation or parole officer, if one exists;
- (f) Recommendation of the police department;
- (g) Recommendation of any treatment practitioner;
- (h) Proposals for safety measures and assurances by the sex offender;
- (i) Conditions to be placed on any exception or variance from the requirements of this law;
- (j) Support systems in place by the sex offender;
- (k) Who the sex offender will be or is living with at the prohibited location;
- (l) Statements of the surrounding community or victim;
- (m) Treatment, sobriety, or rehabilitative measures taken by the sex offender;
- (n) The sex offender's current employment or social activities;
- (o) The sex offender's criminal history; and

(p) Whether the sex offender meets any of the exceptions provided for in this law.
310.6-3. *Approval or Denial of Waiver.* Within fourteen (14) days of receiving a waiver request, the Chief of Police or their designee shall issue a written decision to the sex offender by first class mail, to the address provided by the requestor, in regard to the request for a residence restriction waiver.

(a) The decision of the Chief of Police or their designee shall be one (1) of the following:

(1) denial of the waiver;

(1) approval of the waiver; or

(2) approval of the waiver subject to necessary conditions.

(A) Conditions may include, but are not limited to, the following:

(i) curfew restrictions;

(ii) cohabitation restrictions or requirements;

(iii) sobriety restrictions;

(iv) conduct restrictions; and/or

(v) any other decision deemed reasonable and necessary by the Chief of Police.

(b) Any request for a waiver which has not been approved, approved for a conditional waiver, or denied by the Chief of Police or their designee within thirty (14) days of the request shall be deemed to be denied unless the Chief of Police provides written notice to the sex offender that a one (1) time extension of ten (10) days would be required to make a decision on the waiver.

(c) If a waiver is granted by the Chief of Police or their designee, the exemption shall only apply to the specific sex offender who had applied for the waiver at the requested residence and shall not be transferable to any other or to any other location.

(d) A waiver expires when the sex offender who was granted the waiver changes their residence.

310.6-4. *Appeal of Waiver Decision.* A sex offender may appeal the waiver decision made by the Chief of Police or their designee by submitting a written appeal to the Oneida Public Safety and Security Commission within ten (10) days from the date the waiver decision was postmarked.

(a) The Oneida Public Safety and Security Commission shall make a decision regarding the appeal of the Chief of Police or their designee's decision within fourteen (14) days of receipt of the appeal.

(1) The Oneida Public Safety and Security Commission may use a one (1) time extension of ten (10) days to make a decision on the waiver appeal by providing written notice of the extension to the Chief of Police and the sex offender.

(b) The Oneida Public Safety and Security Commission shall make one of the following decisions in regard to the appeal:

(1) Uphold the Chief of Police or their designee's denial of the waiver; or

(2) Overturn the Chief of Police or their designee's denial of the waiver and approve:

(A) a waiver; or

(B) a waiver subject to conditions.

(c) The decision of the Oneida Public Safety and Security Commission shall be in writing and provided to the sex offender and the Chief of Police.

310.6-5. *Revocation of Waiver.* A waiver issued by the Chief of Police or their designee or the Oneida Public Safety and Security Commission may be revoked by the Chief of Police or their designee if the sex offender is found to have violated the conditions of the waiver or there is

probable cause to believe the sex offender has committed an additional violent, heinous, or sexual criminal offense, which had occurred either before or after the waiver was issued.

- (a) The Chief of Police or their designee shall provide written notice to the sex offender that the exemption or conditional exemption has been revoked and/or further conditioned.

310.7. Map of Prohibited Locations and Residence Restriction Distances

310.7-1. The Geographic Information System Department shall maintain an official map of the reservation showing prohibited locations and the resulting residency restriction distances.

- (a) The Geographic Information System Department shall review the map on an annual basis and update the map to reflect any changes in the prohibited locations.

- (b) The map shall be made available electronically on the Nation's website.

310.7-2. The absence of a location on the map shall not be a defense to enforcement under this law where the sex offender is found to be within a prohibited location and circumstances make it clear that the sex offender had actual notice of that prohibited location.

310.8. Enforcement and Penalties

310.8-1. *Issuance of a Citation.* An individual who violates any provision of this law may be subject to the issuance of a citation by an Oneida Police Department officer.

- (a) A citation for a violation of this law or any orders issued pursuant to this law may include fines and other penalties, as well as conditional orders made by the Trial Court.

- (b) A citation for a violation of this law shall be processed in accordance with the procedure contained in the Nation's laws and policies governing citations.

- (c) *Notice to the Comprehensive Housing Division.* The Oneida Police Department shall provide notice to the Oneida Law Office of any citation, revocation, or conditioning of a waiver issued to an individual located at a property rented or leased through the Comprehensive Housing Division.

310.8-2. *Penalties.* Upon a finding by the Trial Court that a violation of this law has occurred, the individual may be subject to the following penalties:

- (a) *Fines.* An individual may be ordered to pay a fine as a result of a violation of this law. The Oneida Business Committee shall adopt through resolution a citation schedule which sets forth specific fine amounts for violations of this law.

- (1) All fines shall be paid to the Judiciary.

- (2) Fines shall be paid within ninety (90) days after the order is issued or upheld on final appeal, whichever is later.

- (A) The ninety (90) day deadline for payment of fines may be extended if an alternative payment plan is negotiated by the Oneida Law Office and approved by the Trial Court.

- (3) If an individual does not pay their fine the Trial Court may seek to collect the money owed through the Nation's garnishment and/or per capita attachment process or any other collection process available to the Trial Court.

- (4) Community service may be substituted for part or all of any fine at the minimum wage rate of the Nation for each hour of community service.

- (b) *Community Service.* An individual may be ordered to perform community service. Community service can be used in lieu of, or in addition to, a fine.

- (1) All community service assignments shall be approved by the Trial Court. The Trial Court shall give preference to culturally relevant community service

assignments or community service assignments that focus on the betterment of the individual's community.

(2) The Trial Court shall provide the individual a written statement of the terms of the community service order, and a statement that the community service order is monitored.

(3) The Trial Court's community service order shall specify:

(A) how many hours of community service the individual is required to complete;

(B) the time frame in which the hours shall be completed;

(C) how the individual shall obtain approval for their community service assignment;

(D) how the individual shall report their hours; and

(E) any other information the Trial Court determines is relevant.

(c) *Counseling or other Programs.* An individual may be ordered to participate in counseling or any other program relevant and available to the Nation.

(d) Any other penalty as deemed appropriate by the Trial Court.

End.

Emergency Adopted – BC-02-25-26-C

Emergency Extended – BC-__-__-__-__

Adopted – BC-__-__-__-__



TO: Oneida Business Committee
FROM: Jameson Wilson, Legislative Operating Committee Chairperson
DATE: August 5, 2026
RE: Extension of the Emergency Adoption of the Safe Neighborhoods Law

Please find the following attached backup documentation for your consideration of the extension of the emergency adoption of the Safe Neighborhoods law:

1. Resolution: Extension of the Emergency Adoption of the Safe Neighborhoods Law
2. Statement of Effect: Extension of the Emergency Adoption of the Safe Neighborhoods Law
3. Safe Neighborhoods Law

Overview

The Safe Neighborhoods law (the “Law”) was adopted by the Oneida Business Committee on an emergency basis on February 25, 2026, through the adoption of resolution BC-02-25-26-C. The purpose of the Law is not to impose a criminal penalty but rather to serve the Nation’s compelling interest to promote, protect, and improve the health, safety, and welfare of the reservation population by prohibiting sex offenders from loitering or residing in specified areas around locations where vulnerable populations, including children, regularly congregate. [3 O.C. 310.1-1]. The Safe Neighborhoods law recognizes the right of sex offenders to reenter the community. *Id.* Therefore, through the Safe Neighborhoods law, the Nation balances its responsibility to sex offenders with its responsibility to protect the surrounding community by promoting regulatory measures which provide protections for the community that do not wholly prohibit sex offenders from being part of this community. *Id.*

The Safe Neighborhoods law:

- Prohibits a sex offender from being present or entering into specified prohibited locations, that are primarily focused on areas in which children are known to congregate, while also providing exceptions for when a sex offender may enter a prohibited area. [3 O.C. 310.4];
- Prohibits a sex offender from establishing a permanent residence or temporary residence within two thousand five hundred (2,500) feet of any prohibited location, while also providing exceptions for when a sex offender may have a residence less than two thousand five hundred (2,500) feet of any prohibited location. [3 O.C. 310.5];
- Prohibits a person or entity from selling, leasing, subleasing, renting, conveying, or otherwise allowing a sex offender to stay in any place, structure, or part thereof with knowledge that it will be used as a permanent residence or temporary residence by any sex offender that is prohibited from establishing residence under this law. [3 O.C. 310.5-5];
- Provides a process to allow a sex offender to petition for a waiver of the residence restriction to the Oneida Police Department Chief of Police, and then appeal a denial of a waiver to the Oneida Public Safety and Security Commission. [3 O.C. 310.6];

- Requires the Geographic Information System Department to develop and maintain an official map of the reservation showing prohibited locations and the resulting residency restrictions distances that is made available on the Nation's website. [3 O.C. 310.7]; and
- Provides for the enforcement of violations of this Law and subsequent penalties that are available. [3 O.C. 310.8].

The emergency adoption of this Law will expire on August 25, 2026. The Legislative Operating Committee is now seeking an extension of the emergency adoption of this Law.

The Oneida Business Committee is delegated the authority to temporarily enact emergency legislation when legislation is necessary for the immediate preservation of the public health, safety, or general welfare of the Reservation population, and the adoption of the legislation is required sooner than would be possible under the Legislative Procedures Act. [1 O.C. 109.9-5]. A fiscal impact statement and public meeting are not required for emergency legislation. [1 O.C. 109.9-5(a)].

The emergency adoption of this Law was necessary, and continues to be necessary, for the preservation of the safety and general welfare of the reservation population due to the fact that sex offenders are a serious threat to the public safety of vulnerable populations, including children, if regulatory measures are not in place that protect the community by reducing opportunity and temptation by prohibiting sex offenders from being present on or residing in specified areas designated as places where vulnerable populations commonly congregate.

Additionally, observance of the requirements under the Legislative Procedures Act for the adoption of this Law was, and continues to be, contrary to public interest since the process and requirements of the Legislative Procedures Act cannot be completed in time to ensure that the Law can be adopted and implemented in time to best protect the safety and general welfare of the reservation population.

The Legislative Procedures Act allows the Oneida Business Committee to extend emergency amendments for a six (6) month time period. [1 O.C. 109.9-5(b)]. A six (6) month extension of the emergency amendments to the Law is being requested to provide additional time for the Legislative Operating Committee to finalize the development of the Law to be presented to the Oneida Business Committee for permanent adoption.

The extension of the emergency amendments to the Law will become effective on August 25, 2026, when the emergency adoption of this Law as adopted through BC-02-25-26-C expires and will remain in effect for an additional six (6) month term which will end on February 25, 2027.

Requested Action

Approve the Resolution: Extension of the Emergency Adoption of the Safe Neighborhoods Law

Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

BC Resolution # Extension of the Emergency Adoption of the Safe Neighborhoods Law

- 1 **WHEREAS,** the Oneida Nation is a federally recognized Indian government and a treaty tribe
2 recognized by the laws of the United States of America; and
3
- 4 **WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Nation; and
5
- 6 **WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV, Section 1,
7 of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
8
- 9 **WHEREAS,** the Safe Neighborhoods law ("the Law") was adopted by the Oneida Business Committee
10 on an emergency basis on February 25, 2026, through the adoption of resolution BC-02-
11 25-26-C; and
12
- 13 **WHEREAS,** the purpose of the Law is not to impose a criminal penalty but rather to serve the Nation's
14 compelling interest to promote, protect, and improve the health, safety, and welfare of the
15 reservation population by prohibiting sex offenders from loitering or residing in specified
16 areas around locations where vulnerable populations, including children, regularly
17 congregate; and
18
- 19 **WHEREAS,** the Legislative Procedures Act authorizes the Oneida Business Committee to enact
20 legislation on an emergency basis when legislation is necessary for the immediate
21 preservation of the public health, safety, or general welfare of the Reservation population,
22 and the adoption of the legislation is required sooner than would be possible under the
23 Legislative Procedures Act; and
24
- 25 **WHEREAS,** the emergency adoption of this Law was, and continues to be, necessary for the
26 preservation of the safety and general welfare of the reservation population due to the fact
27 that sex offenders are a serious threat to the public safety of vulnerable populations,
28 including children, if regulatory measures are not in place that protect the community by
29 reducing opportunity and temptation by prohibiting sex offenders from being present on or
30 residing in specified areas designated as places where vulnerable populations commonly
31 congregate; and
32
- 33 **WHEREAS,** observance of the requirements under the Legislative Procedures Act for adoption of this
34 Law was, and continues to be, contrary to public interest since and the process and
35 requirements of the Legislative Procedures Act cannot be completed in time to ensure that
36 the Law can be adopted and implemented in time to best protect the safety and general
37 welfare of the reservation population; and
38
- 39 **WHEREAS,** emergency adoption of legislation is effective for a period of six (6) months, renewable by
40 the Oneida Business Committee for an additional six (6) month term; and
41
- 42 **WHEREAS,** the emergency adoption of this Law will expire on August 25, 2026; and
43

44 **WHEREAS,** a six (6) month extension of the emergency adoption of this Law is being requested to allow
45 for the Law to remain in effect while the Legislative Operating Committee finalizes the
46 development of the Law to be presented to the Oneida Business Committee for permanent
47 adoption; and
48

49 **NOW THEREFORE BE IT RESOLVED,** that the emergency adoption of the Safe Neighborhoods law is
50 hereby extended for an additional six (6) month period effective August 25, 2026, and shall expire on
51 February 25, 2027.



Statement of Effect

Extension of the Emergency Adoption of the Safe Neighborhoods Law

Summary

This resolution extends the emergency adoption of the Safe Neighborhoods law for an additional six (6) month period.

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

Date: July 21, 2026

Analysis by the Legislative Reference Office

This resolution extends the emergency adoption of the Safe Neighborhoods law (“the Law”) for an additional six (6) month period. On February 25, 2026, the Oneida Business Committee adopted the Law on an emergency basis, through the adoption of resolution BC-02-25-26-C. The purpose of the Law is not to impose a criminal penalty but rather to serve the Nation’s compelling interest to promote, protect, and improve the health, safety, and welfare of the reservation population by prohibiting sex offenders from loitering or residing in specified areas around locations where vulnerable populations, including children, regularly congregate. [3 O.C. 310.1-1]. The Safe Neighborhoods law recognizes the right of sex offenders to reenter the community. *Id.* Therefore, through the Safe Neighborhoods law, the Nation balances its responsibility to sex offenders with its responsibility to protect the surrounding community by promoting regulatory measures which provide protections for the community that do not wholly prohibit sex offenders from being part of this community. *Id.*

The Legislative Procedures Act (“the LPA”) was adopted by the General Tribal Council for the purpose of providing a process for the adoption or amendment of laws of the Nation. [1 O.C. 109.1-1]. The LPA allows the Oneida Business Committee to take emergency action where it is necessary for the immediate preservation of the public health, safety, or general welfare of the reservation population and when enactment or amendment of legislation is required sooner than would be possible under the LPA. [1 O.C. 109.9-5]. A public meeting and fiscal impact statement are not required for emergency legislation. [1 O.C. 109.8-1(b), 109.9-5(a)]. Emergency legislation takes effect immediately upon adoption by the Oneida Business Committee and remains effective for a six (6) month period of time. [1 O.C. 109.9-5(b)]. The LPA provides the possibility to extend emergency legislation for an additional six (6) months, or until the emergency amendments expire or are permanently adopted. [1 O.C. 109.9-5(b)].

The resolution provides that the emergency adoption of this Law was, and continues to be, necessary for the preservation of the safety and general welfare of the reservation population due to the fact that sex offenders are a serious threat to the public safety of vulnerable populations, including children, if regulatory measures are not in place that protect the community by reducing opportunity and temptation by prohibiting sex offenders from being present on or residing in specified areas designated as places where vulnerable populations commonly congregate.

Additionally, observance of the requirements under the Legislative Procedures Act for the adoption of this Law was, and continues to be, contrary to public interest since the process and requirements of the Legislative Procedures Act cannot be completed in time to ensure that the Law can be adopted and implemented in time to best protect the safety and general welfare of the reservation population.

The extension of the emergency adoption of the Law will become effective on August 25, 2026, when the emergency adoption of this Law as adopted through BC-02-25-26-C expires and will remain in effect for an additional six (6) month term which will end on February 25, 2027.

Conclusion

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

Title 3. Health & Public Safety - Chapter 310 SAFE NEIGHBORHOODS

310.1. Purpose and Policy

310.2. Adoption, Amendment, Repeal

310.3. Definitions

310.4. Prohibited Locations

310.5. Residence Restrictions

310.6. Waiver of Residence Restrictions

310.7. Map of Prohibited Locations and Residence Restriction
Distances

310.8. Enforcement and Penalties

310.1. Purpose and Policy

310.1-1. *Purpose.* The purpose of this law is not to impose a criminal penalty but rather to serve the Nation's compelling interest to promote, protect, and improve the health, safety, and welfare of the reservation population by prohibiting sex offenders from loitering or residing in specified areas around locations where vulnerable populations, including children, regularly congregate. This law recognizes the right of sex offenders to reenter the community. Therefore, through this law the Nation balances its responsibility to sex offenders with its responsibility to protect the surrounding community by promoting regulatory measures which provide protections for the community that do not wholly prohibit sex offenders from being part of this community.

310.1-2. *Policy.* It is the policy of the Nation that due to the high rate of recidivism for sex offenders, the Nation declares that sex offenders are a serious threat to the public safety of vulnerable populations, including children, if regulatory measures are not in place that protect the community by reducing opportunity and temptation by prohibiting sex offenders from being present on or residing in specified areas designated as places where vulnerable populations commonly congregate.

310.2. Adoption, Amendment, Repeal

310.2-1. This law was adopted by the Oneida Business Committee on an emergency basis by resolution BC-02-25-26-C.

310.2-2. This law may be amended or repealed by the Oneida Business Committee or General Tribal Council pursuant to the procedures set out in the Legislative Procedures Act.

310.2-3. Should a provision of this law or the application thereof to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this law which are considered to have legal force without the invalid portions.

310.2-4. In the event of a conflict between a provision of this law and a provision of another law, the provisions of this law shall control.

310.2-5. This law is adopted under authority of the Constitution of the Oneida Nation.

310.3. Definitions

310.3-1. This section shall govern the definitions of words and phrases used within this law. All words not defined herein shall be used in their ordinary and everyday sense.

(a) "Day" means calendar day.

(b) "Immediate family" means individual's husband, wife, mother, father, son, daughter, brother, sister, grandparent, grandchild, and any of the these relations attained through legal adoption or marriage.

(c) "Judiciary" means the Oneida Nation Judiciary, as identified in Article V of the Constitution and Bylaws of the Oneida Nation, which is the judicial system that was established by Oneida General Tribal Council resolution GTC-01-07-13-B, and then later

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authorized to administer the judicial authorities and responsibilities of the Nation by Oneida General Tribal Council resolution GTC-03-19-17-A.

(d) “Nation” means the Oneida Nation.

(e) “Oneida Public Safety and Security Commission” means the entity made up of those individuals appointed by the Oneida Business Committee to provide oversight regarding the activities and actions of public safety and security operations throughout the Reservation.

(f) “Park” means any outdoor area held open for use by the public, including, but not limited to a public park, parkway, campground, recreation or open access space area, beach, conservation area, lake access point, recreation trail/route, or Safe Route, by whatever name such area is known by.

(g) “Permanent residence” means a place where the person abides, lodges, or resides for fourteen (14) or more consecutive days.

(h) “Reservation” means all land within the exterior boundaries of the Reservation of the Oneida Nation, as created pursuant to the 1838 Treaty with the Oneida 7 Stat. 566, and any lands added thereto pursuant to federal law.

(i) “Sex offender” means a person who:

(1) Is required to register under Wis. Stats. §301.45 for any sexual offense or as otherwise ordered by a court or is found to have committed a sex offense by another jurisdiction within the meaning of Wis. Stats. §301.45(1d)(am);

(2) Is required to register under Wis. Stats. §301.45 and who has been designated a special bulletin (SBN) sex offender pursuant to Wis. Stats. §301.46 (2) and (2m); or

(3) Within the ten (10) years prior to establishing a permanent or temporary residence within the reservation, has been convicted of or found not guilty by reason of disease or mental defect of a violation of Wis. Stats. §940.30 False Imprisonment, if the victim was a minor and not offender’s child, or Wis. Stats. §940.31 kidnapping, if the victim was a minor and not offender’s child.

(j) “Temporary residence” means a place where the person abides, lodges or resides for a period of four (4) or more days within a thirty (30) day period, or for a period of fourteen (14) or more days during any calendar year and which is not the person's permanent address.

(k) “Trial Court” means the Trial Court of the Oneida Nation Judiciary.

310.4. Prohibited Locations

310.4-1. *Prohibited Locations*. No sex offender shall enter or be present on any property upon which there exists any:

(a) school;

(b) Tribal or other licensed day care or childcare center;

(c) park or park facility;

(d) playground or green space otherwise designated as a play or recreational area by the Nation’s planning department;

(e) athletic field, including any practice field;

(f) library;

(g) community center;

(h) fitness center, recreation center, or gym;

(i) farmers market;

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(j) place of worship;

(k) any other place designated by the Nation as a place where vulnerable populations, including children, are known to congregate.

310.4-2. *Prohibited Locations Exceptions.* A sex offender present in a prohibited location as identified in section 310.4-1 of this law shall not be found to have committed an offense if any of the following apply:

(a) The property also supports a place of worship, subject to the following conditions:

(1) Entrance and presence on the property may occur only during hours of worship or other religious program or service; and

(2) The sex offender shall not participate in any religious education programs that include individuals under the age of eighteen (18).

(b) The property also supports a use lawfully attended by the sex offender's natural or adopted child, which child's use reasonably requires the attendance of the sex offender, provided that entrance and presence on the property occurs only during hours of activity related to the use by the child.

(c) The property also supports a polling location in a local, state, or federal election, subject to the following conditions:

(1) The sex offender is eligible to vote;

(2) The polling location is the designated polling location for the sex offender; and

(3) The sex offender casts their ballot with whatever usual and customary assistance is available and vacates the property immediately after voting.

(d) The property also supports a school lawfully attended by the sex offender as a student, provided that the sex offender may only remain on the property at such times that are reasonably required for their educational purposes.

(e) The property is accessed for use of a medical facility or clinic, behavioral health clinic, police station, food security services, economic or social services, or other governmental building not otherwise enumerated in 310.4-1 of this law, provided that the sex offender vacates the property immediately after completing the activity or service that required their presence at the property.

310.5. Residence Restrictions

310.5-1. *Prohibited Location of Residence.* No sex offender shall establish a permanent residence or temporary residence within two thousand five hundred (2,500) feet of any prohibited locations identified in section 310.4-1 of this law.

310.5-2. *Measurement of Distance.* For purposes of determining the minimum distance of separation required for the permanent residence or temporary residence of a sex offender, the requirement shall be measured by following a straight line from the outer property line of the permanent residence or temporary residence of the sex offender to nearest outer property line of the prohibited locations identified in section 310.4-1 of this law.

310.5-3. *Residency Restriction Exceptions.* A sex offender residing within an area otherwise prohibited by this law does not commit an offense if any of the following apply:

(a) The sex offender is required to serve a sentence at a jail, prison, juvenile facility, or other facility located at the otherwise prohibited location.

(b) The sex offender had established and registered a permanent residence within a restricted area prior to the effective date of this law.

(1) In such circumstances, a sex offender who duly registered their permanent residence address before residency restrictions were adopted by the Nation shall be

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deemed to have received a waiver, provided that this waiver may be revoked in accordance with section 310.6-5 of this law.

(c) The prohibited location identified in section 310.4-1 of this law was established after the sex offender established a permanent residence at the location and registered that residence as required by law.

(d) The sex offender is a minor or ward under guardianship.

(e) The sex offender's most recent offense occurred more than ten (10) years ago and it has been at least ten (10) years since the sex offender has completed any period of incarceration or court mandated supervision for any offense.

310.5-5. *Prohibition of Sale, Lease, or Rental of Property.* No person or entity shall sell, lease, sublease, rent, convey, or otherwise allow a sex offender to stay in any place, structure, or part thereof with knowledge that it will be used as a permanent residence or temporary residence by any sex offender that is prohibited from establishing residence under this law.

310.6. Waiver of Residence Restrictions

310.6-1. *Petition for Residence Restriction Waiver.* A sex offender may request a waiver from the residence restrictions provided in section 310.5-1 of this law by submitting a written request for a waiver, including any pertinent rationale for a waiver, to the Oneida Police Department prior to establishing a residence that would be in violation of this law.

(a) A sex offender shall not, under any circumstance, be deemed to have established a residence that would otherwise be in violation of this law without first having received permission as evidenced through a waiver. A sex offender cited for residing within a restricted area without first receiving a waiver shall not be eligible to receive a waiver thereafter.

310.6-2. *Review of Waiver Request.* The Chief of Police or their designee shall conduct a review of the request for a waiver using any pertinent information and the following factors related to the Nation's interest in promoting, protecting, and improving the health, safety, and welfare of the community:

- (a) The nature of the offense causing the individual to be a sex offender;
- (b) Police reports related to the predicate offense if available;
- (c) Proximity of the requested residence to the victim;
- (d) The age of the offense, offender, and victim;
- (e) Recommendation of the probation or parole officer, if one exists;
- (f) Recommendation of the police department;
- (g) Recommendation of any treatment practitioner;
- (h) Proposals for safety measures and assurances by the sex offender;
- (i) Conditions to be placed on any exception or variance from the requirements of this law;
- (j) Support systems in place by the sex offender;
- (k) Who the sex offender will be or is living with at the prohibited location;
- (l) Statements of the surrounding community or victim;
- (m) Treatment, sobriety, or rehabilitative measures taken by the sex offender;
- (n) The sex offender's current employment or social activities;
- (o) The sex offender's criminal history; and
- (p) Whether the sex offender meets any of the exceptions provided for in this law.

310.6-3. *Approval or Denial of Waiver.* Within fourteen (14) days of receiving a waiver request, the Chief of Police or their designee shall issue a written decision to the sex offender by first class

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mail, to the address provided by the requestor, in regard to the request for a residence restriction waiver.

(a) The decision of the Chief of Police or their designee shall be one (1) of the following:

(1) denial of the waiver;

(1) approval of the waiver; or

(2) approval of the waiver subject to necessary conditions.

(A) Conditions may include, but are not limited to, the following:

(i) curfew restrictions;

(ii) cohabitation restrictions or requirements;

(iii) sobriety restrictions;

(iv) conduct restrictions; and/or

(v) any other decision deemed reasonable and necessary by the Chief of Police.

(b) Any request for a waiver which has not been approved, approved for a conditional waiver, or denied by the Chief of Police or their designee within thirty (14) days of the request shall be deemed to be denied unless the Chief of Police provides written notice to the sex offender that a one (1) time extension of ten (10) days would be required to make a decision on the waiver.

(c) If a waiver is granted by the Chief of Police or their designee, the exemption shall only apply to the specific sex offender who had applied for the waiver at the requested residence and shall not be transferable to any other or to any other location.

(d) A waiver expires when the sex offender who was granted the waiver changes their residence.

310.6-4. *Appeal of Waiver Decision.* A sex offender may appeal the waiver decision made by the Chief of Police or their designee by submitting a written appeal to the Oneida Public Safety and Security Commission within ten (10) days from the date the waiver decision was postmarked.

(a) The Oneida Public Safety and Security Commission shall make a decision regarding the appeal of the Chief of Police or their designee's decision within fourteen (14) days of receipt of the appeal.

(1) The Oneida Public Safety and Security Commission may use a one (1) time extension of ten (10) days to make a decision on the waiver appeal by providing written notice of the extension to the Chief of Police and the sex offender.

(b) The Oneida Public Safety and Security Commission shall make one of the following decisions in regard to the appeal:

(1) Uphold the Chief of Police or their designee's denial of the waiver; or

(2) Overturn the Chief of Police or their designee's denial of the waiver and approve:

(A) a waiver; or

(B) a waiver subject to conditions.

(c) The decision of the Oneida Public Safety and Security Commission shall be in writing and provided to the sex offender and the Chief of Police.

310.6-5. *Revocation of Waiver.* A waiver issued by the Chief of Police or their designee or the Oneida Public Safety and Security Commission may be revoked by the Chief of Police or their designee if the sex offender is found to have violated the conditions of the waiver or there is probable cause to believe the sex offender has committed an additional violent, heinous, or sexual criminal offense, which had occurred either before or after the waiver was issued.

- (a) The Chief of Police or their designee shall provide written notice to the sex offender that the exemption or conditional exemption has been revoked and/or further conditioned.

310.7. Map of Prohibited Locations and Residence Restriction Distances

310.7-1. The Geographic Information System Department shall maintain an official map of the reservation showing prohibited locations and the resulting residency restriction distances.

- (a) The Geographic Information System Department shall review the map on an annual basis and update the map to reflect any changes in the prohibited locations.

- (b) The map shall be made available electronically on the Nation's website.

310.7-2. The absence of a location on the map shall not be a defense to enforcement under this law where the sex offender is found to be within a prohibited location and circumstances make it clear that the sex offender had actual notice of that prohibited location.

310.8. Enforcement and Penalties

310.8-1. *Issuance of a Citation.* An individual who violates any provision of this law may be subject to the issuance of a citation by an Oneida Police Department officer.

- (a) A citation for a violation of this law or any orders issued pursuant to this law may include fines and other penalties, as well as conditional orders made by the Trial Court.

- (b) A citation for a violation of this law shall be processed in accordance with the procedure contained in the Nation's laws and policies governing citations.

- (c) *Notice to the Comprehensive Housing Division.* The Oneida Police Department shall provide notice to the Oneida Law Office attorney assigned to the Comprehensive Housing Division of any citation, revocation, or conditioning of a waiver issued to an individual located at a property rented or leased through the Comprehensive Housing Division.

- (1) Any information or reports shared by the Oneida Police Department officer with the Oneida Law Office attorney shall be redacted by the Oneida Law Office attorney as agreed upon between the Oneida Law Office and the Oneida Police Department Chief of Police prior to release to the Comprehensive Housing Division for potential lease or rental enforcement.

310.8-2. *Penalties.* Upon a finding by the Trial Court that a violation of this law has occurred, the individual may be subject to the following penalties:

- (a) *Fines.* An individual may be ordered to pay a fine as a result of a violation of this law. The Oneida Business Committee shall adopt through resolution a citation schedule which sets forth specific fine amounts for violations of this law.

- (1) All fines shall be paid to the Judiciary.

- (2) Fines shall be paid within ninety (90) days after the order is issued or upheld on final appeal, whichever is later.

- (A) The ninety (90) day deadline for payment of fines may be extended if an alternative payment plan is negotiated by the Oneida Law Office and approved by the Trial Court.

- (3) If an individual does not pay their fine the Trial Court may seek to collect the money owed through the Nation's garnishment and/or per capita attachment process or any other collection process available to the Trial Court.

- (4) Community service may be substituted for part or all of any fine at the minimum wage rate of the Nation for each hour of community service.

- (b) *Community Service.* An individual may be ordered to perform community service. Community service can be used in lieu of, or in addition to, a fine.

Adopted on an Emergency Basis through Resolution BC-02-25-26-C
OBC Consideration of Emergency Extension

(1) All community service assignments shall be approved by the Trial Court. The Trial Court shall give preference to culturally relevant community service assignments or community service assignments that focus on the betterment of the individual's community.

(2) The Trial Court shall provide the individual a written statement of the terms of the community service order, and a statement that the community service order is monitored.

(3) The Trial Court's community service order shall specify:

(A) how many hours of community service the individual is required to complete;

(B) the time frame in which the hours shall be completed;

(C) how the individual shall obtain approval for their community service assignment;

(D) how the individual shall report their hours; and

(E) any other information the Trial Court determines is relevant.

(c) *Counseling or other Programs.* An individual may be ordered to participate in counseling or any other program relevant and available to the Nation.

(d) Any other penalty as deemed appropriate by the Trial Court.

End.

Emergency Adopted – BC-02-25-26-C

Emergency Extended – BC-__-__-__-__



Legislative Operating Committee
August 5, 2026

Petition: G. Powless-Buenrostro – Amend Judiciary Law #2026-01

Submission Date: 6/3/26

LOC Sponsor: Jameson Wilson

Summary: *On May 11, 2026, the Petition: G. Powless-Buenrostro - Amend Judiciary Law #2026-01 (“the Petition”) was submitted to the Government Administrative Office by Gina Powless-Buenrostro and has since been verified by the Oneida Trust Enrollment Department on May 12, 2026. On May 27, 2026, the Oneida Business Committee acknowledged receipt of this Petition. and directed the Legislative Reference Offices to complete a statement of effect with status updates to be submitted for the July 8, 2026, regular Oneida Business Committee meeting agenda and the first Oneida Business committee meeting of the month thereafter or until the final documents are submitted. On June 3, 2026, the Legislative Operating Committee added the Petition to the Active Files List to be worked on by the Legislative Reference Office.*

This petition calls for a special General Tribal Council (GTC) meeting to be called to consider the following: Amend Title 8. Judiciary – Chapter 801: Tsi? Latili wahshu.nihe kayan lahasla? More specifically, we want to add section 801.11.5 Judges will physically reside within the State of Wisconsin and be required to physically appear in court, effective immediately upon approval of this petition. If there are judges who do not meet this requirement within 30 calendar days of passage, they will be notified by the Oneida Nation’s Secretary’s office that they no longer meet the requirements of the position of judge and will no longer serve on the Judiciary. Proof of address is required to confirm that all judges reside within the state of Wisconsin.

12/19/25 OBC: Motion by Jennifer Webster to acknowledge receipt of petition from Gina Powless-Buenrostro regarding adjustments to Judiciary law; to direct the Business Committee Direct Reports Offices to complete and submit their administrative impact statements of the petition to the Secretary mailbox by Wednesday, June 17, 2026; and to direct the Law, Finance, and Legislative Reference Offices to complete respectively, the legal review, fiscal impact statement and statement of effect with status updates submitted to the July 8, 2026, regular Business Committee meeting agenda and the first Business Committee meeting of the month thereafter or until the final documents are submitted., seconded by Jameson Wilson. Motion carried.

- 6/3/26 LOC:** Motion by Jennifer Webster to add the Petition: G. Powless-Buenrostro - Amend the Judiciary Law #2026-01 to the Active Files List with Jameson Wilson as the sponsor; seconded by Jonas Hill. Motion carried unanimously.
- 6/10/26 OBC:** Motion by Lawrence Barton to schedule a reconvened special General Tribal Council meeting on Monday, November 2, 2026, at 6:00 p.m. addressing the Powless-Buenrostro petition #2026-01, seconded by Jennifer Webster. Motion carried.
- 7/1/26 LOC:** Motion by Jennifer Webster to accept the status update memorandum for the Petition: G. Powless-Buenrostro – Amend Judiciary Law #2026-01 and forward to the Oneida Business Committee; seconded by Jonas Hill. Motion carried unanimously.
- 7/8/26 OBC:** Motion by Lisa Liggins to accept the statement of effect status update regarding petition # 2026-01, seconded by Jennifer Webster. Motion carried.

Next Steps:

- Accept the statement of effect for the Petition: G. Powless-Buenrostro – Amend Judiciary Law #2026-01 and forward to the Oneida Business Committee.



Statement of Effect

*Petition: G. Powless-Buenrostro – Amend Judiciary Law
#2026-01*

Summary

This petition requests the General Tribal Council to consider amending the Judiciary law to require Judges to physically reside in the State of Wisconsin and physically appear in Court. This petition also requests that the General Tribal Council address the removal of judges who do not meet these qualifications once the Judiciary law is amended.

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

Date: July 15, 2026

Analysis by the Legislative Reference Office

On May 11, 2026, the Petition: G. Powless-Buenrostro - Amend Judiciary Law #2026-01 (“the Petition”) was submitted to the Government Administrative Office by Gina Powless-Buenrostro and has since been verified by the Oneida Trust Enrollment Department on May 12, 2026. On May 27, 2026, the Oneida Business Committee acknowledged receipt of this Petition and directed the Legislative Reference Office to complete a statement of effect with status updates to be submitted for the July 8, 2026, regular Oneida Business Committee meeting agenda and the first Oneida Business Committee meeting of the month thereafter or until the final documents are submitted. On June 3, 2026, the Legislative Operating Committee added the Petition to the Active Files List to be worked on by the Legislative Reference Office.

This petition calls for a special General Tribal Council (GTC) meeting to be called to consider the following:

Amend Title 8. Judiciary – Chapter 801: Tsi? Latili wahshu.nihe kayan lahasla? More specifically, we want to add section 801.11.5 Judges will physically reside within the State of Wisconsin and be required to physically appear in court, effective immediately upon approval of this petition. If there are judges who do not meet this requirement within 30 calendar days of passage, they will be notified by the Oneida Nation’s Secretary’s office that they no longer meet the requirements of the position of judge and will no longer serve on the Judiciary. Proof of address is required to confirm that all judges reside within the state of Wisconsin.

All applicable laws and policies of the Nation were reviewed in developing this statement of effect for the Petition.

Qualifications of Judges – Wisconsin Residency Requirements

This Petition requests that the Judiciary law be amended to address residency requirements for Judges of the Oneida Nation Judiciary, specifically that Judges be required to reside in the State of Wisconsin.

The Judiciary law provides for the administration of law, justice, judicial procedures and practices by the Oneida Nation as a sovereign nation by exercising the inherent power to make, execute, apply and enforce its own law, and to apply its own customs and traditions in matters affecting the Oneida people. [8 O.C. 801.1-1].

The Judiciary consists of the Trial Court, which includes the Peacemaking and Mediation Division, General Civil Division, and other courts or divisions that may be created by laws of the Nation; and the Court of Appeals. [8 O.C. 801.4-2]. The Trial Court consists of a full-time Chief Judge and three (3) full-time Judges. [8 O.C. 801.5-1]. The Court of Appeals consists of a full-time Chief Judge and four (4) part-time Judges. [8 O.C. 801.8-1(a)]. Judges of the Oneida Trial Court and the Court of Appeals are elected to their position. [8 O.C. 801.11].

The Judiciary law requires that all candidates for, or individuals who may be appointed to, the position of Judge meet the following qualifications:

- Is an enrolled member of the Nation and is at least thirty (30) years of age on the date of the election or appointment;
- Agrees to attend mandatory training, upon election or appointment, as required by the Judiciary training requirements;
- Has not been convicted of, or entered a plea of guilty or nolo contendere to, any offense involving fraud or misrepresentation or any felony, unless:
 - a pardon has been granted in accordance with the Nation's pardon law at least ten (10) years before the election is held or the appointment is made; or
 - the conviction has been removed from their record by executive pardon or state court order at least ten (10) years before the election is held or the appointment is made.
- Is not mentally disabled or mentally unstable; and
- Meets the following education requirements:
 - *Chief Judges.* Chief Judges are required to have one (1) of the following from an accredited institution:
 - master's degree;
 - juris doctor degree; or
 - bachelor's degree and shall have three (3) years of experience as a Judge.

- *Non-Chief Judges.* Non-Chief Judges are required to hold at least one (1) of the following from an accredited institution:
 - master's degree;
 - juris doctor degree; or a
 - bachelor's degree in one (1) of the following fields of study, provided that a degree in a similar field of study shall also qualify: Criminal Justice, Education, Political Science, including Government, Politics or Public Policy, Human Rights, Journalism, Legal Studies, Native American Studies, Psychology, Sociology, Public Administration, History, Business Administration, Economics or Finance, Philosophy, Judicial Studies, Paralegal Studies, and Family Law. [8 O.C. 801.11-1(a)].

Currently, the Judiciary law does not address any residency requirements for Judges. Any amendments made to the Judiciary law to require residency in the State of Wisconsin for judges would need to follow the process and procedures contained in the Legislative Procedures Act.

Requirement for the Physical Appearance of a Judge in Court

This Petition also requests that the Judiciary law be amended to require that Judges physically appear in Court.

Currently, the Judiciary law does not address any requirements for the physical appearance of a Judge in Court. Any amendments made to the Judiciary law to require the physical appearance of a Judge in Court would need to follow the process and procedures contained in the Legislative Procedures Act.

Other laws of the Nation address physical appearance requirements for Court proceedings in some capacity. For example, the Oneida Judiciary Rules of Civil Procedures addresses instances in which a party or witnesses can appear by telephone for a hearing or when testimony can be given through contemporaneous transmission from a different location instead of physically appearing in Court. [8 O.C. 803.23-1, 803.29]. Another example is the Children's Code, which addresses when a parent may appear for hearings by telephone or live audiovisual means, or when appearance requirements at hearings may be waived for proposed guardians. [7 O.C. 708.33-2, 708.29-5]. Neither the Oneida Judiciary Rules of Civil Procedures nor the Children's code specifically addresses if or when a judge is allowed to participate in Court proceedings while not physically present.

The Legislative Process

The process for developing or amending a law of the Nation is governed by the Legislative Procedures Act. The General Tribal Council adopted the Legislative Procedures Act in 2013 to set forth the process for the development and adoption of laws of the Nation by the Oneida Business Committee and General Tribal Council. [1 O.C. 109.1-1]. The Legislative Procedures Act intends to ensure that there is a standard process for developing legislation for the Nation. [1 O.C. 109.1-2]. Although the Legislative Procedures Act is not construed to impede the constitutional right of a member of the Nation under Article III, Section 4 of the Oneida Nation Constitution and Bylaws to petition for a special meeting of the General Tribal Council, the lawmaking requirements provided by the Legislative Procedures Act do apply to all legislation considered by the Oneida Business Committee or the General Tribal Council. [1 O.C. 109.1-3, 109.1-1].

The legislative process begins when any person who is interested in pursuing the development of or amendment to a law of the Nation submits a written request for legislation to the Legislative Reference Office, who then is responsible for placing the request for legislation on the agenda of the next duly called Legislative Operating Committee meeting. [1 O.C. 109.5-1, 109.5-2]. General Tribal Council delegated the Legislative Operating Committee the responsibility for the development of legislation of the Nation. [1 O.C. 109.4-2]. The Legislative Operating Committee is comprised of the five (5) Oneida Business Committee members who do not hold officer positions. [1 O.C. 110.4-1(b)]. Once the Legislative Operating Committee receives a request for legislation, the Legislative Operating Committee then either accepts or denies the request, except that the Legislative Operating Committee is not allowed to deny a request for legislation directed by a General Tribal Council law, resolution, or motion. [1 O.C. 109.5-2(a)-(b)].

Once the Legislative Operating Committee accepts a request for legislation and directs that legislation be developed in accordance with the Legislative Procedures Act, a draft of the legislation is created through research, review of other similar laws, collaboration with affected entities, and community engagement efforts. The Legislative Procedures Act provides guidance on how a law should be organized, such as different sections that need to be included in a law and what information needs to be addressed in each section, to ensure there is a consistent format amongst all laws of the Nation. [1 O.C. 109.11]. Once a draft of the proposed legislation is approved by the Legislative Operating Committee, a legislative analysis of the draft legislation is completed. [1 O.C. 109.7-1]. The purpose of the legislative analysis is to describe the important features of the legislation being considered and factual information to enable the Legislative Operating Committee to make informed decisions regarding legislation. [1 O.C. 109.3-1(g)]. A legislative analysis includes a statement of the legislation's terms and substance; intent of the legislation; a description of the subject(s) involved, including any conflicts with Oneida or other law, key issues, potential impacts of the legislation and policy considerations. *Id.*

Once a draft and legislative analysis are completed for proposed legislation, the Legislative Operating Committee moves forward with obtaining public review of the proposed legislation.

The Legislative Operating Committee determines a public meeting date and then a public meeting notice is created that contains the date, time and place of the public meeting, the time period for the public comment period, and the name, address, phone number, and other appropriate information on where to submit comments on the proposed legislation. [1 O.C. 109.8-2]. At least ten (10) business days before the public meeting is held, the public meeting notice is published in the Kalihwisaks, while the public meeting notice, proposed draft of the legislation, legislative analysis, and fiscal impact statement if available, are published on the Oneida Register on the Nation's webpage found at the following location: <https://oneida-nsn.gov/government/register/>, and electronically noticed to all managers and directors. [1 O.C. 109.8-2]. The managers and directors who receive the public meeting materials are then required by the Legislative Procedures Act to direct employees of the Nation who have special knowledge or expertise on the proposed legislation to provide public comments. [1 O.C. 109.8-4(a)].

The public meeting on the proposed legislation is required to be presided over by at least one (1) member of the Legislative Operating Committee. [1 O.C. 109.8-3(a)]. The purpose of the public meeting is to solicit oral comments from members of the community on the proposed legislation. [1 O.C. 109.8-3]. After the public meeting concludes, the Legislative Operating Committee holds open a public comment period for at least five (5) business days. [1 O.C. 109.8-1(a)]. During the public comment period individuals may submit written comments including data, views, arguments, or concerns to the Oneida Business Committee Secretary or the Legislative Reference Office in person or through United States mail, interoffice mail, e-mail, or fax. [1 O.C. 109.8-1(c), 109.4-4(b)].

Once the public comment period has concluded, the Legislative Operating Committee is required by the Legislative Procedures Act to fully consider all written comments and oral testimony received during the public comment period and any public meeting on the proposed legislation. [1 O.C. 109.8-4]. The Legislative Operating Committee accomplishes this responsibility through the development of a public comment review memorandum that provides the Legislative Operating Committee's consideration of every comment received, and demonstrates any changes made to the proposed legislation based on the public comments.

A fiscal impact statement is also required for all proposed legislation. [1 O.C. 109.6-1]. A fiscal impact statement provides an estimate of the total fiscal year financial effects associated with legislation and includes startup costs, personnel, office, documentation costs, as well as an estimate of the amount of time necessary for an individual or agency to comply with the law after implementation. [1 O.C. 109.3-1(c)]. The Legislative Operating Committee may direct that a fiscal impact statement be submitted by any agency who may receive funding if the legislation is enacted, may administer a program if the legislation is enacted, may have financial information concerning the subject matter of the legislation, or the Finance Department. [1 O.C. 109.6-1]. Oneida Business Committee resolution BC-10-28-20-A, *Further Interpretation of 'Fiscal Impact Statement' in the*

Legislative Procedures Act, provides further clarification on the process for directing a fiscal impact statement be completed. This resolution provides that upon final approval of draft legislation by the Legislative Operating Committee, the Legislative Operating Committee may direct the Finance Department or any agency who may receive funding if the legislation is enacted, may administer a program if the legislation is enacted, may have financial information concerning the subject matter of the legislation to provide a neutral and unbiased fiscal impact statement to the LOC within ten (10) business days for inclusion in adoption materials.

After all the requirements of the Legislative Procedures Act are met and the Legislative Operating Committee is satisfied with proposed legislation, the Legislative Operating Committee then forwards an adoption packet comprised of the proposed legislation, legislative analysis, fiscal impact statement, resolution, statement of effect, and an adoption memorandum to the Oneida Business Committee for consideration. [1 O.C. 109.9-1]. The Oneida Business Committee then either considers whether to approve or deny the adoption of the legislation or forwards the legislation to the General Tribal Council for consideration of adoption. [1 O.C. 109.9-1(a)-(b)]. A law is adopted, amended, or repealed upon the adoption of a resolution. [1 O.C. 109.9-2]. For those laws considered by the Oneida Business Committee a majority vote is required for the adoption of the law, while amendments and repeals of a law are handled in accordance with the laws governing Oneida Business Committee action. [1 O.C. 109.9-2(a)]. The Oneida Business Committee utilizes Robert's Rules of Order, current edition, for the procedural rules of its meetings except as specifically modified by the Constitution and Bylaws of the Oneida Nation. [1 O.C. 117.4-1]. For those laws considered by the General Tribal Council, adoption, amendment, and repeal of laws are done in accordance with the laws governing General Tribal Council action. [1 O.C. 109.9-2(b)]. Any action by the General Tribal Council to overrule previous passed motions or resolution requires a two-thirds (2/3) vote. [1 O.C. 113.3-1(a)(3)].

Once legislation is adopted through resolution by either the Oneida Business Committee or the General Tribal Council the law shall become effective ten (10) business days after the date of adoption unless a different effective date is specified. [1 O.C. 109.9-3]. The Legislative Operating Committee is then responsible for publishing the law in the Oneida Code of laws by the effective date. [1 O.C. 109.9-4]. The Oneida Code of Laws can be found on the Oneida Register on the Nation's website at the following location: <https://oneida-nsn.gov/government/register/laws/>. Any law adopted in substantial compliance with the Legislative Procedures Act is considered valid. [1 O.C. 109.10-1]. No law can be contested based on non-compliance with the procedural requirements of the Legislative Procedures Act after one (1) year from the effective date of the law. [1 O.C. 109.10-2].

The development of any amendments to the Judiciary law would be required to follow the process and procedures contained in the Legislative Procedures Act.

Removal of a Judge

The Petition then goes on to provide that if the requested amendments to the Judiciary law are made, and residency in the State of Wisconsin is made an eligibility requirement as well as the requirement for physical appearance in Court, then any judges who do not meet this requirement within thirty (30) calendar days of passage of the amendments will be notified by the Oneida Nation Secretary's office that they no longer meet the requirements of the position of Judge and will no longer serve on the Judiciary. Essentially, this is asking that Judges that do not meet the amended residency requirements within thirty (30) days be removed from office.

The Judiciary law addresses the removal of a Judge in a couple different instances. The Judiciary law provides that each Judge can be subject to reprimand, which can include suspension without pay or removal from office, for:

- willful misconduct in office;
- willful disregard of or failure to perform his or her duties, including upholding Tribal law;
- habitual intemperance;
- conviction of a crime involving moral turpitude;
- conduct prejudicial to the administration of justice that brings the judicial office into disrepute; and/or
- violating the Canons of Judicial Ethics. [8 O.C. 801.12-1].

The Judiciary law provides a process for disciplinary hearings for Judges. [8 O.C. 801.12]. When a disciplinary report recommends that a Judge be removed from office, removal proceedings are required to be commenced in accordance with the Removal law. [8 O.C. 801.12-6(d)(3)].

Additionally, the Judiciary law provides that the Judiciary shall immediately begin removal proceedings against a Judge when the Judge no longer meets the qualifications of section 801.11-1 to be a candidate for or appointed to the Judgeship which they hold. [8 O.C. 801.12-7(b)].

Ultimately, the Judiciary law is clear that Judges are at all times be subject to removal, and the complaint process established in the Judiciary law does not supersede or otherwise affect the rights of eligible voters to petition for removal of a Judge in accordance with the Removal law. [8 O.C. 801.12-8].

The Removal law was originally created by the General Tribal Council in 1979 pursuant to Article III, Section 3 of the Constitution¹. [See resolution GTC-04-16-79, titled *Ordinance for the Removal of Oneida Tribal Business Committee Members*].

¹ Article III Section 3 of the Constitution and Bylaws of the Oneida Nation expressly states: The General Tribal Council may at its discretion remove any official on the Business Committee by a two-thirds majority vote at any regular or special meeting of the Tribal Council, pursuant to a duly adopted ordinance. Such ordinance shall fix the specific causes for removal and ensure that the rights of the accused are protected, including his receiving in writing

The General Tribal Council has since amended the 1979 version of the Removal law, the current version being adopted and minimally amended, respectively, by resolutions GTC-1-09-06-A and BC-05-28-14-B to replace the previous Removal Law, adopted by resolutions BC-1-03-96-B and GTC-1-17-98-A, because the General Tribal Council felt that the previous law was too “confusing and unclear in some areas....” [*Resolution GTC-1-09-06-A, p.1*]. The General Tribal Council also felt that it was more logical to have different processes for the removal of elected officials versus appointed officials since “officials come to office in a different manner,” and thus, made the current Removal Law apply “to elected officials only,” as opposed to both elected and appointed officials. [*Id*].

Overall, the purpose of the Removal law is to govern the removal of persons elected to serve on boards, committees and commissions of the Nation. [*1 O.C. 104.1-1*]. It is the policy of the Nation to provide an orderly and fair process for the removal of persons elected to serve on boards, committees and commissions. [*1 O.C. 104.1-2*]. The Removal law provides that an elected official may be removed from office for any of the following reasons:

- failure to attend four (4) regularly scheduled meetings without a written explanation;
- failure to attend fifty percent (50%) of an entity’s regular scheduled meetings within a twelve (12) month period for any reason provided that this subsection shall not apply to the Oneida Business Committee;
- intentional misuse of the Nation’s funds;
- alcohol use while performing official responsibilities or use of illegal drugs at any time;
- if they no longer meets the qualifications for office;
- violating a law of the Nation which specifies removal as a penalty; or
- felony conviction while in office. [*1 O.C. 104.4-1(a)-(g)*].

With respect to the process, the Removal law provides that any eligible voter of the Nation may file a petition with the Nation’s Secretary seeking the removal of an elected official so long as the petition contains the requisite number of eligible voter signatures. [*1 O.C. 104.5-1*]. A petition is required to be signed by fifty (50) or more eligible voters or a number equal to at least thirty (30) percent of the vote cast in the previous general election, whichever is greater. *Id*. The Secretary must then serve the elected official with a certified copy of the petition and forward another to the Judiciary so that it can schedule a preliminary review to determine whether the allegations set forth in the petition would constitute sufficient grounds for removal. [*1 O.C. 104.5-6 & 104.6-1*]. If the Judiciary determines that sufficient grounds would exist, it is next required to conduct a hearing under Section 104.7 of the Removal law to determine whether each allegation contained in the petition can be proven by clear and convincing evidence. [*1 O.C. 104.6-2 & 104.7-3*]. If it finds clear and convincing evidence, the Judiciary must then put its findings in written form and forward

a statement of the charges against him and assurance on sufficient notice thereof where he shall be afforded every opportunity to speak in his own defense.

them to the Oneida Business Committee Chairperson. [1 O.C. 104.7-3]. Upon receipt, the Oneida Business Committee Chairperson is required to call a special General Tribal Council meeting to consider the Judiciary's findings. An elected official may only be removed from office upon a two-thirds (2/3) majority vote in the affirmative by General Tribal Council. [1 O.C. 104.8-3].

Therefore, the Petition's request that Judges who do not meet newly created residency requirements within thirty (30) calendar days of passage of the amendments to the Judiciary law be notified that they no longer meet the requirements of the position of Judge and will no longer serve on the Judiciary would be an unlawful removal of the Judges.

Both the Judiciary law and the Removal law are clear that if a Judge no longer meets the qualifications of section 801.11-1 of the Judiciary law to be a candidate for or appointed to the Judgeship which they hold, the process contained in the Removal law should be followed and used to remove that Judge. [1 O.C. 104.4-1(e)/ 8 O.C. 801.12-7(b)]. Therefore, if a Judge no longer meets the qualifications to hold their position, General Tribal Council would not be able to direct that the Judge no longer serve on the Judiciary. Instead, the process contained in the Removal law would need to be initiated and successfully followed in order to remove that Judge from their elected position.

Application to the Oneida Family Court

This Petition requests that the Judiciary law be amended to address residency requirements for judges of the Oneida Nation Judiciary and require that Judges physically appear in Court.

The Judiciary consists of the Trial Court, which includes the Peacemaking and Mediation Division, General Civil Division, and other courts or divisions that may be created by laws of the Nation; and the Court of Appeals. [8 O.C. 801.4-2]. One such court or division that has been created by law of the Nation under the Trial Court is the Family Court.

The Family Court was established by the Family Court law to provide for the administration of law, justice, judicial procedures and practices by the Nation as a sovereign nation by exercising the inherent power to make, execute, apply and enforce its own law, and to apply its own customs and traditions in matters affecting the Oneida people as it pertains to the family and/or to our children. [8 O.C. 806.1-1]. The Family Court administers the judicial authorities and responsibilities of the Nation over all matters pertaining to the family, children and elders, except for probate matters. [8 O.C. 806.4-1]. The Family Court consists of at least one (1) full-time Judge of the Court. [8 O.C. 806.7-1]. The Family court Judge position is an appointed position under an employment contract that is approved by the Oneida Business Committee and subject to the Attorney Contract Policy, except provisions related to supervision do not apply. *Id.* The Judge(s) of the Family Court are required to meet the following qualifications:

- have a juris doctor (J.D.) degree from an accredited law school;
- have at least five (5) years of experience practicing in the area of family law;
- be licensed to practice law in the State of Wisconsin or be licensed to practice law in another State and able to gain admission to the State Bar of Wisconsin within one (1) year of his or her taking office; and
- not been convicted of, or entered a plea of guilty or nolo contendere to, any offense involving fraud, misrepresentation, or any felony, unless a pardon has been granted in accordance with the Nation's Pardon and Forgiveness law within the last ten (10) years, or the conviction has been removed from their record by executive pardon or state court order within the last ten (10) years. [8 O.C. 806.7-1, 806.7-2].

The Family Court law does not currently include any residency requirements in the qualifications for Judges, or require that Judges physically appear for Court proceedings. This Petition only requests that the Judiciary law be amended to address residency requirements for qualifications of Judges, and require that Judges physically appear in Court. It is unclear from the Petition whether it was intended to apply solely to the qualifications provided for Judges under the Judiciary law, and therefore not apply to Family Court Judges since their qualifications are set by the Family Court law, or if this was an oversight. Any amendments to the Family Court law to address additional residency requirements or requirements to physically appear in Court would be required to follow the process contained in the Legislative Procedures Act.

In regard to the removal of a Family Court Judge, Family Court Judges are appointed to their positions under an employment contract, so they are not subject to the Removal law as they are not elected officials. Instead, the Family Court law provides that each Judge is subject to reprimand, suspension without pay for a definite period of time, not to exceed six (6) months, or termination of their contract, in accordance with section 801.12 of the Judiciary law or through the specific terms of the contract. [8 O.C. 806.10-1].

Conclusion

After a review of all applicable laws and policies of the Nation, it has been determined that the adoption of the Petition: G. Powless-Buenrostro – Amend the Judiciary Law #2026-01 would have the following legislative impacts:

1. ***Residency Requirements – Impact on the Legislative Procedure Act.***
 - a. This Petition requests that the Judiciary law be amended to address residency requirements for judges of the Oneida Nation Judiciary, specifically that Judges be required to reside in the State of Wisconsin. Currently, the Judiciary law does not address any residency requirements for Judges. Any amendments made to the Judiciary law to require residency in the State of Wisconsin for judges would need to follow the process and procedures contained in the Legislative Procedures Act.
2. ***Physical Presence Requirements – Impact on the Legislative Procedures Act.***

- a. This Petition also requests that the Judiciary law be amended to require that Judges physically appear in Court. Currently, the Judiciary law does not address any requirements for the physical appearance of a Judge in Court. Any amendments made to the Judiciary law to require the physical appearance of a Judge in Court would need to follow the process and procedures contained in the Legislative Procedures Act.
3. ***Removal of Judges – Conflict with Judiciary Law and Removal Law.***
 - a. The Petition then goes on to provide that if the requested amendments to the Judiciary law are made, and residency in the State of Wisconsin is made an eligibility requirement as well as the requirement for physical appearance in Court, then any judges who do not meet this requirement within thirty (30) calendar days of passage of the amendments be notified by the Oneida Nation Secretary's office that they no longer meet the requirements of the position of Judge and will no longer serve on the Judiciary. The Petition's request that Judges who do not meet newly created qualifications essentially be removed from their position within the Judiciary within thirty (30) days would be an unlawful removal of the Judges in violation of both the Judiciary law and the Removal law. Both the Judiciary law and the Removal law are clear that if a Judge no longer meets the qualifications of section 801.11-1 of the Judiciary law to be a candidate for or appointed to the Judgeship which they hold, the process contained in the Removal law should be followed and used to remove that Judge. It would be unlawful for the General Tribal Council to simply direct that a Judge no longer serve on the Judiciary. Instead, the process contained in the Removal law would need to be initiated and successfully followed in order to remove a Judge from their elected position.
4. ***Unclear Application on the Family Court Law – Impact on the Legislative Procedures Act.***
 - a. This Petition requests that the Judiciary law be amended to address residency requirements for judges of the Oneida Nation Judiciary and require that Judges physically appear in Court. The Family Court is a separate court under the Trial Court created by the Nation's Family Court law. The Family Court law provides qualifications for Family Court Judges separate from the Judiciary law. The Family Court law does not currently include any residency requirements in the qualifications for Judges, or require that Judges physically appear for Court proceedings. The application of the Petition's request on the Family Court Judges is unclear. It is unknown whether it was intended that the requests for amendments to address residency and physical presence qualifications provided for Judges under the Judiciary law were intended to apply to Family Court Judges since their qualifications are set by the Family Court law, or if this was an oversight. Any amendments to the Family Court law to address additional residency requirements

or requirements to physically appear in Court would be required to follow the process contained in the Legislative Procedures Act.

Requested Action

Accept the statement of effect for the Petition: G. Powless-Buenrostro - Amend Judiciary Law #2026-01.



Legislative Operating Committee
August 5, 2026

BOARDS, COMMITTEES, AND COMMISSIONS LAW AMENDMENTS

Submission Date: 2/7/24	Public Meeting: 6/11/26
LOC Sponsor: Kirby Metoxen	Emergency Enacted: N/A

Summary: *This item was added to the Active Files List on February 7, 2024. On January 10, 2024, the Oneida Business Committee adopted a motion to defer the Board, Committees, Commissions law to the Legislative Operating Committee for a revision of the eligibility on the Board, Committees, Commissions law for any and all veterans to serve on any and all veteran related committees and to have open eligibility with no exclusions.*

1/10/24 OBC: Motion by Lawrence Barton to defer the Board, Committees, Commissions law to the Legislative Operating Committee for a revision of the eligibility on the Board, Committees, Commissions law for any and all veterans to serve on any and all veterans related committees to have open eligibility with no exclusions, seconded by Jennifer Webster. Motion carried.

2/7/24 LOC: Motion by Jennifer Webster to add the Boards, Committees, and Commissions law amendments to the Active Files List with Kirby Metoxen as the sponsor; seconded by Jonas Hill. Motion carried unanimously.

2/20/24: *Work Meeting.* Present: Jameson Wilson, Jonas Hill, Kirby Metoxen, Clorissa Leeman, Grace Elliott, Lisa Summers, Shannon Davis, Kristal Hill, Maureen Perkins, Fawn Billie. The purpose of this work meeting was for the LOC to review the Boards, Committees, and Commissions law with the Government Administrative Office and discuss potential amendments to be made to the law.

10/24/24: *Work Meeting.* Present: Jameson Wilson, Kirby Metoxen, Jonas Hill, Clorissa Leeman, Grace Elliott, Carolyn Salutz, Maureen Perkins, Kristal Hill, Fawn Cottrell. The purpose of this work meeting was to discuss what topics should be included on the December 2024 LOC community meeting. Ultimately, the LOC decided to include the topics of the Marijuana law, Short Term Rental law, and Boards, Committees, and Commissions law amendments.

11/6/24 LOC: Motion by Kirby Metoxen to approve the Legislative Operating Committee community meeting notice and schedule the community meeting to take place on December 4, 2024; seconded by Marlon Skenandore. Motion carried unanimously.

- 11/14/24:** *Work Meeting.* Present: Lisa Summers, Brooke Doxtator, Shannon Davis, Amber Martinez, Jameson Wilson, Jonas Hill, Jennifer Webster, Marlon Skenandore, Kristal Hill, Maureen Perkins, Fawn Cottrell, Fawn Billie, Carolyn Salutz. The purpose of this work meeting was to start fresh with reviewing this law for amendments, so we started from the beginning with a line-by-line review. We reviewed the law up to section 105.11. Jenny suggested for the next meeting, we schedule 1.5 hours; we did go over one hour, and this is a lengthy law.
- 12/4/24:** *Community Meeting.* Present: Jameson Wilson, Jonas Hill, Marlon Skenandore, Jennifer Webster, Kirby Metoxen, Clorissa Leeman, Grace Elliott, Fawn Cottrell. Maureen Perkins, Kristal Hill. A community meeting was held from 5:30-7:30p.m. in the cafeteria of the Norbert Hill Center, this law was one of three laws presented for community input.
- 2/7/25:** *Work Meeting.* Present: Mark Powless, Brooke Doxtator, Shannon Davis, Amber Martinez, Krystal John, Jameson Wilson, Jonas Hill, Marlon Skenandore, Kirby Metoxen, Jennifer Webster, Carolyn Salutz. The purpose of this work meeting was to finish a line-by-line review of the law, starting where we finished at the last work meeting. We started at Section 105.11 and were able to finish a line-by-line review of the entire law.
- 5/21/25:** *Work Meeting.* Present: Mark Powless, Brooke Doxtator, Shannon Davis, Amber Martinez, Krystal John, Lisa Summers, Jameson Wilson, Jonas Hill, Marlon Skenandore. Kirby Metoxen, Jennifer Webster, Clorissa Leeman, Grace Elliott, Carolyn Salutz, Kristal Hill, Fawn Cottrell. The purpose of this work meeting was to continue reviewing for potential amendments by doing another read-through. We did a line-by-line read through, stopping at section 105.15.
- 9/12/25:** *Work Meeting.* Present; Jennifer Webster, Kirby Metoxen, Lisa Summers, Brooke Doxtator, Shannon Davis, Amber Martinez, Krystal John, Fawn Billie, Fawn Cottrell, Grace Elliott, Carolyn Salutz. The purpose of this meeting was to continue reviewing edits. Group did not do a read-through, instead we stopped and discussed specific sections. Lisa said she and her team were meeting to discuss what we currently have as section 105.10 Other Responsibilities. Krystal mentioned that I should double check the draft of Sanctions and Penalties to cross reference penalties for noncompliance.
- 10/27/25:** *Work Meeting.* Present: Lisa Summers, Brooke Doxtator, Rhiannon Metoxen, Kristal Hill, Fawn Cottrell, Carolyn Salutz. The purpose of this work meeting was to discuss section 205.10 Other Responsibilities. Lisa Summers wrote suggested language in the chat. Lisa and Brooke had a few other changes – things we changed during the meeting.
- 2/3/26:** *Work Meeting.* Present: Brooke Doxtator, Krystal John, Grace Elliott, Kirby Metoxen, Jameson Wilson, Jennifer Webster, Jonas Hill, Shannon Davis, Mark Powless. The purpose of this work meeting was to review the newest amendments; the amendments now incorporate reference to Standards of Conduct, standards that are currently found in the Code of Ethics law, but on 1/29/26 the LOC made a policy decision to remove BCCs from the Code of Ethics law and in response, those behavioral expectations will need to be found in this law.
- 2/26/26:** *Work Meeting.* Present: Brooke Doxtator, Krystal John, Grace Elliott, Kirby Metoxen, Jameson Wilson, Shannon Davis, Fawn Cottrell, Fawn Billie, Bonnie Pigman. The purpose of

this work meeting was to review the newest amendments. The group spent majority of the work meeting discussing enforcement.

3/13/26: *Work Meeting.* Present: Brooke Doxtator, Shannon Davis, Kirby Metoxen, Jennifer Webster, Jonas Hill, Grace Elliott, Carolyn Salutz. LOC members present approved amendments.

3/18/26 LOC: Motion by Jennifer Webster to accept the draft and direct a legislative analysis be completed, seconded by Kirby Metoxen; motion carried unanimously.

4/15/26 LOC: Motion by Jennifer Webster to approve the draft and the legislative analysis, seconded by Jonas Hill; motion carried unanimously.

5/06/26 LOC: Motion by Jennifer Webster to approve the public meeting packet and schedule a public meeting to be held on June 11, 2026, seconded by Jonas Hill; motion carried unanimously.

6/11/26: *Public meeting.* Three individuals provided oral comments.

6/18/26: *Public comment period.* No individuals provided written comments.

7/1/26 LOC: Motion by Jennifer Webster to accept the public comment review memorandum and defer to a work meeting for further consideration of the three public comments received; seconded by Jonas Hill. Motion carried unanimously.

7/1/26: *Work Session.* Present: Jonas Hill, Jennifer Webster, Kirby Metoxen, Jameson Wilson, Clorissa Leeman, Carolyn Salutz, Grace Elliott. The LOC met to read and consider the public comment received and the public comment memorandum.

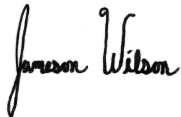
7/15/26 LOC: Motion by Jonas Hill to approve the updated public comment review memorandum, draft, and legislative analysis for the proposed amendments to the Boards, Committees, and Commissions law; seconded by Kirby Metoxen. Motion carried unanimously. Motion by Jonas Hill to approve the fiscal impact statement request memorandum and direct the Finance Department to provide the LOC with a fiscal impact statement of the Boards, Committees, and Commissions law amendments by July 29, 2026; seconded by Kirby Metoxen. Motion carried unanimously.

7/23/26: *Fiscal Impact Statement received.* The Finance Department provided the fiscal impact statement to the LOC on July 23, 2026.

Next Steps:

- Approve the adoption packet for the Boards, Committees, and Commissions Law Amendments and forward to the Oneida Business Committee for consideration.



TO: Oneida Business Committee
FROM: Jameson Wilson, LOC Chairperson 
DATE: August 5, 2026
RE: Adoption of Amendments to the Boards, Committees, and Commissions Law

Please find the following attached backup documentation for your consideration of the adoption of amendments to the Boards, Committees, and Commissions Law:

1. Resolution: Amendments to the Boards, Committees, and Commissions Law
2. Statement of Effect: Amendments to the Boards, Committees, and Commissions Law
3. Boards, Committees, and Commissions Law Amendments Legislative Analysis
4. Boards, Committees, and Commissions Law Amendments Draft (Redline)
5. Boards, Committees, and Commissions Law Amendments Draft (Clean)
6. Boards, Committees, and Commissions Law Amendments Fiscal Impact Statement

Overview

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. *[1 O.C. 105.1-1]*. On January 10, 2024, the Oneida Business Committee adopted a motion to defer the Board, Committees, Commissions law to the Legislative Operating Committee for a revision of the eligibility for veterans to serve on veteran related committees and to have open eligibility with no exclusions. Amendments are also being sought to restructure the authority of the newly created Boards, Committees, and Commissions Department, to enhance standards of conduct and the prohibitions against conflicts of interest, enhance and clarify enforcement provisions, and a variety of other amendments to strengthen and clarify the duties and responsibilities of each entity, member, the Oneida Business Committee, and the Boards, Committees, and Commissions Department. *[105.3-1(c); 105.16; 105.16-8; 105.19; 105.10; 105.13; 105.14; 105.15]*.

The Legislative Operating Committee developed the proposed amendments to the Boards, Committees, and Commissions Law through collaboration with representatives from the Oneida Boards, Committees, Commissions Department, Oneida Government Administrative Office, Oneida Law Office, and the CEO of Nation Services. The Legislative Operating Committee held ten (10) work meetings on the development of the amendments to the Boards, Committees, and Commissions Law.

The development of the amendments to the Boards, Committees, and Commissions Law complies with all processes and procedures required by the Legislative Procedures Act, including the

development of a legislative analysis, a fiscal analysis, and the opportunity for public review during a public meeting and public comment period. [1 O.C. 109.6; 109.7; 109.8].

The Legislative Operating Committee held a public meeting on the proposed amendments to the Boards, Committees, and Commissions Law on June 11, 2026, with three (3) individuals providing oral comments. The public comment period for the amendments to the Boards, Committees, and Commissions Law was held open until June 18, 2026, with no submissions of written comments received. The Legislative Operating Committee accepted the public comments on July 1, 2026. The Legislative Operating Committee reviewed and considered the public comments on July 1, 2026.

The amendments to the Boards, Committees, and Commissions Law will become effective on August 26, 2026.

Requested Action

Adopt the Resolution: Amendments to the Boards, Committees, and Commissions Law.

Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

BC Resolution

Amendments to the Boards, Committees, and Commissions Law

- WHEREAS,** the Oneida Nation is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States of America; and
- WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Nation; and
- WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV, Section 1, of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS,** the Boards, Committees, and Commissions Law was first adopted by the Oneida Business Committee through resolution BC-08-02-95-A; amended through resolution BC-05-14-97-F; emergency amended through resolution BC-04-12-06-JJ; then subsequently amended through resolutions BC-09-27-06-E, BC-09-22-10-C, and BC-09-26-18-C; emergency amended through resolutions BC-03-11-20-B and BC-03-17-20-C; and most recently amended through resolution BC-08-12-20-B; and
- WHEREAS,** 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; and
- WHEREAS,** on January 10, 2024, the Oneida Business Committee adopted a motion to defer the Board, Committees, Commissions law to the Legislative Operating Committee for a revision of the eligibility for veterans to serve on veteran related committees and to have open eligibility with no exclusions; and
- WHEREAS,** amendments are also being sought to restructure the authority of the newly created Boards, Committees, and Commissions Department, to enhance standards of conduct, the prohibition against conflicts of interest, enforcement provisions, and a variety of other amendments to strengthen and clarify the duties and responsibilities of each entity, member, the Oneida Business Committee, and the Boards, Committees, and Commissions Department; and
- WHEREAS,** the Legislative Operating Committee developed the proposed amendments to the Law through collaboration with representatives from the Oneida Boards, Committees, and Commission Department, the Oneida Government Administrative office, the Oneida Law Office, and the CEO of Nation Services; and
- WHEREAS,** in accordance with the Legislative Procedures Act a legislative analysis and fiscal impact statement were completed for the proposed amendments to the Law; and
- WHEREAS,** the Legislative Operating Committee held a public meeting on the proposed amendments to the Law on June 11, 2026, with three (3) individuals providing oral comments, and the

public comment period for the amendments to this Law was held open until June 18, 2026,
with no submissions of written comments received; and

WHEREAS, the Legislative Operating Committee accepted the public comments on July 1, 2026; and

WHEREAS, the Legislative Operating Committee reviewed and considered the public comments on
July 1, 2026, and accepted an updated public comment memorandum and draft on July
15, 2026.

NOW THEREFORE BE IT RESOLVED, the Oneida Business Committee hereby adopts the amendments
to the Boards, Committees, and Commissions Law, which shall become effective on August 26, 2026.



Statement of Effect

Amendments to the Boards, Committees, and Commissions law

Summary

This resolution adopts amendments to the Boards, Committees, and Commissions law.

Submitted by: Carolyn A. Salutz, Legislative Staff Attorney, Legislative Reference Office

Date: August 5, 2026

Analysis by the Legislative Reference Office

This resolution adopts amendments to the Boards, Committees, and Commissions law. The purpose of the Boards, Committees, and Commissions law is to govern boards, committees, and commissions of the Nation, including the procedures regarding the appointment and election of 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. [1 O.C. 105.1-1]. On January 10, 2024, the Oneida Business Committee adopted a motion to defer the Board, Committees, Commissions law to the Legislative Operating Committee for a revision of the eligibility for veterans to serve on veteran related committees and to have open eligibility with no exclusions. Amendments are also being sought to restructure the authority of the newly created Boards, Committees, and Commissions Department, to enhance standards of conduct, the prohibition against conflicts of interest, enforcement provisions, and a variety of other amendments to strengthen and clarify the duties and responsibilities of each entity, member, the Oneida Business Committee, and the Boards, Committees, and Commissions Department. [1 O.C. 105.9-1(c); 105.16; 1 O.C. 105.16-8; 1 O.C. 105.19].

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

The Legislative Operating Committee held a public meeting on the proposed amendments to the Boards, Committees, and Commissions law on June 11, 2026. Three (3) individuals provided public comments during this public meeting. The public comment period was then held open until June 18, 2026. No individuals submitted written comments during this public comment period. The Legislative Operating Committee accepted the public comments on July 1, 2026. The Legislative Operating Committee reviewed and considered the public comments on July 1, 2026.

The amendments to the Boards, Committees, and Commissions law will become effective on August 26, 2026.

Conclusion

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



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 the purpose of the amendments is 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].

	▪ 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: ▪ 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.
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. <i>[1 O.C. 105.1-1]</i>.
Affected Entities	All Boards, Committees, and Commissions of the Nation, the Boards, Committees, and Commissions Department, the Governmental Administrative Office, the Oneida Business Committee.

Enforcement	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>. 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>. Enforcement provisions are also found in various subsections throughout the entire law, such as: ▪ 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	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>. The entity may review the application materials and the entity may submit a recommendation to the Boards, Committees, and Commissions Department to include in the application materials to be reviewed by the Oneida Business Committee. <i>[1 O.C. 105.7-1(b)(1)]</i>. All appointments shall be made during open session of the Oneida Business Committee. <i>[1 O.C. 105.7-1(d)-(e)]</i>. 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>.

	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. [1 O.C. 105.8]. All other processes for the election of a member of an entity shall be pursuant to the Nation’s laws or policies governing elections. [1 O.C. 105.8-2]. 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 was held on June 11, 2026, with a public comment period held open until June 18, 2026.
Fiscal Impact	On July 15, 2026, the Legislative Operating Committee directed the Finance Department to provide a fiscal impact statement, prepared in accordance with the Legislative Procedures Act, by Thursday, July 23, 2026.

SECTION 2. LEGISLATIVE DEVELOPMENT

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

SECTION 3. CONSULTATION AND OUTREACH

- Representatives from the following departments or entities participated in the development of the amendments to this Law and legislative analysis:
 - Oneida Boards, Committees, Commissions Department (“BCC Department”);
 - Oneida Government Administrative Office (“GAO”);
 - Oneida Law Office; and
 - CEO of Nation Services.
- The following laws of the Nation were reviewed in the drafting of this analysis:

- Code of Ethics Law [1 O.C. 103];
- Conflict of Interest [2 O.C. 217];
- Removal Law [1 O.C. 104];
- Sanctions and Penalties [1 O.C. 120]; and
- Election Law [1 O.C. 102].

SECTION 4. PROCESS

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

- On February 7, 2024, the Legislative Operating Committee added this Law to its Active Files List for amendments this legislative term.
- On March 18, 2026, the Legislative Operating Committee approved the draft of the Boards, Committees, and Commissions Law Amendments and directed the Legislative Reference Office to complete a Legislative Analysis.
- On April 15, 2026, the Legislative Operating Committee approved the draft and Legislative Analysis to the proposed amendments to the Boards, Committees, and Commissions Law.
- On May 6, 2026, the Legislative Operating Committee approved the public meeting packet and directed a public meeting be held on June 11, 2026, with a public comment period held open until June 18, 2026.
- On June 11, 2026, a public meeting was held. Three (3) individuals provided oral comments.
- On June 18, 2026, the public comment period closed. No individuals provided written comments.
- On July 1, 2026, the Legislative Operating Committee accepted the public comments and public comment review memorandum and deferred to a work meeting for further consideration of the comments received and the public comment review memorandum.
- On July 15, 2026, the Legislative Operating Committee approved the updated public comment memorandum, draft, legislative analysis, and approved the fiscal impact statement request memorandum for the proposed amendments to the Boards, Committees, and Commissions Law directing the Finance Department to provide a fiscal impact statement of the Boards, Committees, and Commissions Law amendments by July 29, 2026.

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

- February 20, 2024: LOC work meeting with GAO.
- October 24, 2024: LOC work meeting.
- February 7, 2025: LOC work meeting with the BCC Department, GAO, the Oneida Law Office, and the CEO of Nation Services.
- May 21, 2025: LOC work meeting with the BCC Department, GAO, the Oneida Law Office, and the CEO of Nation Services.
- September 12, 2025: LOC work meeting with the BCC Department, GAO, and the Oneida Law Office.
- October 27, 2025: LOC work meeting with the BCC Department and GAO.
- February 3, 2026: LOC work meeting with the BCC Department, GAO, the Oneida Law Office, and the CEO of Nation Services.
- February 26, 2026: LOC work meeting with the BCC Department, GAO, and the Oneida Law Office.

- March 13, 2026: LOC work meeting with the BCC Department when the LOC informally approved the draft.
 - July 1, 2026: LOC work meeting. The LOC met to review the public comments received and the public comment review memorandum.
- C. At the time this legislative analysis was developed the following community event had been held regarding the development of amendments to this law:
- December 4, 2024: Community Meeting. The Legislative Operating Committee held a community meeting in the cafeteria of the Norbert Hill Center to gather input from the community on amendments to the Boards, Committees, and Commissions Law.

SECTION 5. CONTENTS OF THE LEGISLATION

- A. ***Purpose and Application of the Law.*** Overall, the proposed amendments improve the governance of boards, committees, and commissions of the Nation by enhancing the procedural requirements of boards, committees, and commissions to conduct business, manage internal operations, and manage 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].
- *Effect.* The proposed amendments establish clear standards of conduct for appointed and elected members and clear standards for the reporting, internal maintenance and management of each board, committee, or commission of the Nation which enhances the Nation's ability to self-govern through the use of its boards, committees, and commissions.
- B. ***Enhancing Policy.*** The proposed amendments expand the policy section of this Law by making it the policy of the Nation to ensure appointed and elected members reflect the values of the Good Mind. [1 O.C. 105.1-2].
- *Effect.* By expanding the policy section to make it a policy of the Nation that appointed and elected members of all entities carry themselves in a way that brings honor to the Oneida people and government, walk with integrity, and uphold the highest standards of ethical conduct as elaborated through principles of the Good Mind, the proposed amendments strengthen the Nation's ability to ethically and efficiently self-govern through the use of its boards, committees, and commissions and according to its traditional ways.
- C. ***Transition from Business Committee Support Office to BCC Department.*** The proposed amendments clarify the BCC Department, not the Oneida Business Committee Support Office, will be responsible for all administrative responsibilities related to the posting and processing of applications, vacancies, and resignations, managing oaths of office, offboarding procedures, managing official budgetary sign-off for all entities, managing minutes and Standard Operating Procedures, managing records and materials relating to the dissolution of an entity, and providing notice to an appointed member if their 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. 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].
- *Effect.* The proposed amendments clarify the responsibilities of the BCC Department which is the correct Department of the Nation to assist in managing all entities of the Nation.
- D. ***Onboarding and Offboarding Procedures.*** The proposed amendments require all members to complete both onboarding and offboarding procedures. [1 O.C. 105.10]. The proposed amendments standardize the expectations of all members before they begin official duties and at the conclusion of their official duties. [Id].
- *Effect.* The proposed amendments clarify the requirements of all new members to complete before they begin official duties and the requirements when a member leaves an entity which

- will ensure consistency and appropriate turnover, reinforcing the ability of the Nation to self-govern through the use of its boards, committee, and commissions.
- E. **Bylaws.** The proposed amendments clarify various provisions of the requirement for all entities to have bylaws that conform to the requirements of the Law. [1 O.C. 105.11].
- All entities shall address travel for training and conferences and shall be in compliance with the Nation's travel policies. [105.11-3].
 - All entities shall address Conflict Resolution and Leave of Absences. [1 O.C. 105.11-3(d)].
 - All entities shall include a procedure to withhold a member's stipend if that member does not meet the requirements, as established in the entity's bylaws, to collect a stipend. [1 O.C. 105.11-3(e)].
 - *Effect.* The proposed amendments clarify and strengthen each entity's ability to establish its own processes and procedures for self-governance in its bylaws which ultimately enhances the Nation's ability to self-govern through the use of its boards, committees, and commissions.
- F. **Reporting Requirements.** The proposed amendments clarify the reporting of meeting minutes and standard operating procedures will be made to the BCC Department. [1 O.C. 105.13-2; 1 O.C. 105.13-2]. The proposed amendments further clarify that rather than the requirement to submit quarterly reports to the Oneida Business Committee, each entity will now be required to submit two reports each fiscal year. [1 O.C. 105.13-3].
- *Effect.* The proposed amendments clarify which Department will assist all entities in filing meeting minutes and standard operating procedures and by reducing the frequency of required reporting will ensure each report reflects substantive accomplishments and goals.
- G. **Virtual Meetings.** The proposed amendments clarify all entities may hold virtual meetings if the entity complies with any requirements established by the Oneida Business Committee and any additional requirements established by the entity. [1 O.C. 105.14-8]. The proposed amendments also include four minimum requirements for virtual meetings. [1 O.C. 105.14-8(a)-(d)].
- *Effect.* The proposed amendment clarifies all entities may hold virtual meetings subject to some conditions. The proposed amendment allows all entities to continue operations despite any unforeseen circumstances which may require virtual meetings.
- H. **Oneida Email Address.** The proposed amendments include a new section addressing the creation, use, and management of an official Oneida Nation email address for each member of an entity. [1 O.C. 105.15].
- *Effect.* The proposed amendment clarifies the Nation's responsibility to create an official Oneida Nation email address and requires all members to use the official Oneida Nation email address to conduct any business of the entity. The proposed amendments clarify both the Nation's responsibility to create and the Nation's and all members' responsibility to use and maintain an official Oneida Nation email address.
- I. **Standards of Conduct.** The proposed amendments include a new section addressing various standards of conduct. [1 O.C. 105.16]. The new standards include:
- good mind;
 - cultural accountability;
 - several instances of prohibited conduct;
 - attendance and meeting conduct;
 - nepotism;
 - gifts and honorarium;

- fair dealing and impartiality; and
- accountability and transparency. [1 O.C. 105.16-1; 1 O.C. 105.16-2; 1 O.C. 105.16-3; 1 O.C. 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].
- The proposed amendments also clarify the requirement to maintain confidentiality. [1 O.C. 105.16-7].
- *Effect.* The proposed amendments strengthen, clarify, and standardize the Nation's expectations regarding all appointed and elected members of its boards, committees, and commissions.

J. *Conflict of Interest.* The proposed amendments clarify the duty to disclose conflicts of interest, the creation and maintenance of conflict of interest disclosure forms, the development of a conflict of interest mitigation plan, and identifies which individuals may be ineligible to serve on an entity of the Nation. [1 O.C. 105.16-8].

- *Effect.* The proposed amendments strengthen the Nation's ability to manage conflict of interest and to protect its interests from any actual or implied or future conflict of interest.

K. *Enforcement.* The proposed amendments clarify the enforcement for all appointed and elected members found to be in violation of the Law. [1 O.C. 105.19]. The proposed amendments distinguish between appointed and elected members and any enforcement actions that may apply to an appointed member versus an elected member. [1 O.C. 105.19-1; 1 O.C. 105.19-2].

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

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

SECTION 6. EXISTING LEGISLATION

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

- *Code of Ethics Law.* The Code of Ethics Law is currently being amended.
 - Currently, “[i]t is the policy of the Oneida Tribe of Indians of Wisconsin to promote the highest ethical conduct in all of its elected and appointed officials, and employees. This Code of Ethics represents a beginning; it is the very minimum standard of conduct which is expected. This Code is intended to create a base from which all persons are expected to work upwards and strive to work toward improving the health, safety and welfare of the Oneida Nation, citizens of the Nation, employees of the Tribe, and persons living in and around the jurisdiction of the Oneida Tribe of Indians of Wisconsin.” [1 O.C. 103.1-1].
 - In the proposed amendments, the purpose of the Law will be:
 - [T]o establish clear standards of conduct rooted in the values of the Oneida people, to guide the Oneida Business Committee in serving the Nation with honor and responsibility. These standards reflect the sacred trust between the government and the people, and are intended to promote integrity, uphold the will of the Nation, and preserve the confidence of the Oneida people. In a government founded upon the consent of the people,

it is the right of the Oneida to expect loyalty, honesty, and accountability from those who serve. [1 O.C. 103.1-1].

- The proposed amendments to the Code of Ethics Law remove its application to appointed and elected members and because of this amendment most Standards of Conduct that were once addressed in the Code of Ethics have been moved to the proposed amendments to the Boards, Committees, and Commissions Law as applicable to appointed and elected members. [1 O.C. 105.16].
- The proposed amendments align with the proposed amendments to the Code of Ethics Law by streamlining the Nation's ability to monitor and establish standards regarding the behavior of its appointed and elected members.
- *Conflict of Interest Law.* The Conflict of Interest Law is currently being amended.
 - Currently, "[t]he purpose of this law is for the Nation to ensure that all employees, contractors, elected officials, officers, political appointees, appointed and elected members and all others who may have access to information or materials that are confidential or may be used by competitors of the Nation's enterprises or interests be subject to specific limitations to which such information and materials may be used in order to protect the interests of the Nation." [2 O.C. 217.1-1].
 - In the proposed amendments, the amended purpose of the Law will remove elected officials and appointed and elected members and only be for the purpose of ensuring all employees, contractors, political appointees, and all others who may have access to information or materials that are confidential or may be used by competitors of the Nation's enterprises or interests be subject to specific limitations to which such information and materials may be used in order to protect the interests of the Nation." [Id].
 - The proposed amendments change the application of the conflict of interest Law and remove the coverage of appointed and elected members. [2 O.C. 217.4-1].
 - While appointed and elected members are being removed from the Conflict of Interest Law, the provisions regarding conflicts of interest in the Boards, Committees, and Commissions Law are being strengthened. [1 O.C. 105.16-8].
 - The proposed amendments align with proposed amendments to the Conflict of Interest Law by streamlining the Nation's ability to monitor and enforce conflict of interests. The proposed amendments to this Law strengthen the Nation's ability to monitor conflict of interest as applicable solely to members of boards, committees, and commissions.
- *Removal Law.* The purpose of the Removal Law is to govern the removal of persons elected to serve on boards, committees, and commissions of the Oneida Nation. [1 O.C. 104.1-1].
 - The Removal Law contains various grounds for removal including:
 - failure to attend four (4) regularly scheduled meetings without a written explanation;
 - failure to attend fifty percent (50%) of an entity's regular scheduled meetings within a twelve (12) month period for any reason provided that this subsection shall not apply to the Oneida Business Committee;
 - intentional misuse of Tribal funds;

- alcohol use while performing official responsibilities or use of illegal drugs at any time;
- if he or she no longer meets the qualifications for office;
- violating a Tribal law which specifies removal as a penalty; or
- felony conviction while in office. [10.C. 104.4].
- The Removal Law contains a procedure for removing an appointed or elected member. [1 O.C. 104.5; 1 O.C. 104.6; 1 O.C. 104.7; 1 O.C. 104.8].
- The proposed amendments to the Boards, Committees, and Commissions Law align with the Removal Law by deferring to its standards and procedures for the removal of an elected member and allowing any elected member found to be in violation of the Boards, Committees, and Commissions law to potentially face removal according to the standards of the Removal Law.
- *Sanctions and Penalties Law.* There is no currently adopted Sanctions and Penalties Law. To complete this legislative analysis, the proposed Law was reviewed. Most recently, on April 15, 2026, the Oneida Business Committee approved a draft to send to the General Tribal Council for consideration. The Oneida Business Committee also attempted to gain General Tribal Council approval of the draft on January 5, 2026, when the Oneida Business Committee presented the approved draft to the General Tribal Council for adoption. The General Tribal Council did not vote to adopt the Law; therefore, the Oneida Business Committee has again approved a draft and will again present that draft to the General Tribal Council for approval and adoption. The Legislative Operating Committee and the Oneida Business Committee plan to continue addressing the adoption of a Sanction and Penalties Law with the General Tribal Council; therefore, amendments to the Boards, Committees, and Commissions Law keep reference to a Sanction and Penalties Law, and in preparing this legislative analysis the proposed draft was reviewed and considered.
 - The purpose of a Sanctions and Penalties Law would be to address the misconduct and promote accountability and improved performance of the official, to establish a consistent set of sanctions and penalties that may be imposed upon elected officials of the Nation for misconduct in office in order to provide an opportunity for the official to take corrective action. [1 O.C. 120.1-1].
 - Rather than include a new section on sanction and penalties in the Boards, Committees, Commissions Law, it is the Legislative Operating Committee's and the Oneida Business Committee's belief that addressing sanctions and penalties in one law is in the best interests of the Nation and will provide the Nation a standardized process and procedure to hold accountable all individuals who are appointed or elected; thereby enhancing the Nation's self-governance.
- *Election Law.* It is the intent of the Election Law to govern the procedures for the conduct of orderly elections of the Nation, including pre-election activities such as caucuses and nominations. [1 O.C. 102.1-1].
 - The Election Law contains the requirements to conduct elections of the Nation including the election for elected members of boards, committees, or commissions. [1 O.C. 102.6; 102.9].
 - The proposed amendments to the Boards, Committees, and Commissions Law align with the Election Law by citing to its requirements and requiring all

elections for elected members of a board, committee, or commission align with its requirements.

SECTION 7. ENFORCEMENT AND ACCOUNTABILITY

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

SECTION 8. OTHER CONSIDERATIONS

- A. **Fiscal Impact.** Under the Legislative Procedures Act, a fiscal impact statement is required for all legislation except emergency legislation [1 O.C. 109.6-1]. Oneida Business Committee resolution BC-10-28-20-A titled, “*Further Interpretation of ‘Fiscal Impact Statement’ in the Legislative Procedures Act,*” provides further clarification on who the Legislative Operating Committee may direct complete a fiscal impact statement at various stages of the legislative process, as well as timeframes for completing the fiscal impact statement.
 - *Conclusion.* On July 23, 2026, the Finance Department provide the Legislative Operating Committee with a fiscal impact statement

Title 1. Government and Finances – Chapter 105
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BOARDS, COMMITTEES, AND COMMISSIONS

105.1. Purpose and Policy
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 105.20. 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:

(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

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

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

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

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

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

105.3. Definitions

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(p) "Nation" means the Oneida Nation.

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

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

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

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

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

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

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

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

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

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

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

105.4. Creation of an Entity

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

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

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

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

105.5. Applications

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

(a) All applications shall include:

(1) a statement explaining the attendance reporting requirements of section

105.1 ~~32~~-3; and

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

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

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

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

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

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

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

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

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

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

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

105.6. Vacancies

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

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

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

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

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

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

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

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

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

(3) certification and acceptance by the Secretary.

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

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

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

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

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

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

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

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

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

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

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

105.7. Appointment to an Entity

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

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

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

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

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

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

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

(A) The recommendation shall be submitted to the ~~Business Committee Support Office~~BCC Department in accordance with the submission

deadlines for the Oneida Business Committee meeting in which the appointment is intended to be made.

(c) During executive session, ~~T~~the Oneida Business Committee shall have a full and complete discussion of the merits and qualifications of the potential applicants; and any recommendations made by ~~the Chairperson of~~ the entity, ~~during executive session~~. After completing a thorough discussion, the Oneida Business Committee shall:

(1) select an applicant for appointment; ~~or~~

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

(3) ask the Secretary to re-notice the vacancy because of an actual or implied conflict of interest;

(4) direct the Election Board to hold a special election; or

(4) defer to the next administration of the Oneida Business Committee.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

105.8. Election to an Entity

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

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

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

105.9. Oath of Office

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

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

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

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

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

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

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

105.10. Other Responsibilities

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

(a) Conflict of Interest.

(b) Confidentiality Agreement.

(c) Training:

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

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

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

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

(a) Transition of assigned duties and responsibilities.

(b) Return of equipment.

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

(d) Exit interview or survey.

105.110. Bylaws

105.110-1. All entities of the Nation shall have bylaws that conform to the requirements of this law. Bylaws shall become effective upon approval of the Oneida Business Committee, unless ~~where~~ General Tribal Council approval is additionally required.

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

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

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

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

(a) Article I. Authority.

(b) Article II. Officers.

(c) Article III. Meetings.

(d) Article IV. Expectations.

(e) Article V. Stipends and Compensation.

(f) Article VI. Records and Reporting.

(g) Article VII. Amendments.

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

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

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

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

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

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

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

(A) ~~N~~unumber of members on the entity;

(B) ~~I~~f members on the entity are appointed or elected ~~or appointed~~, and how a member is appointed or elected ~~or appointed~~;

(C) ~~H~~how vacancies are filled; and

(D) ~~E~~qualifications for membership on the entity.

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

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

(7) *Trainings and Conferences*. This section shall address travel for training and conferences. Travel for training and conferences is allowable in accordance with

~~the Nation's travel policies. All entities shall be in compliance with the Nation's travel policies. describe any trainings and/or conferences that the entity deems necessary for members to responsibly serve the entity, if any.~~

(b) "Article II. Officers" shall consist of the following:

(1) *Chairperson and Vice-Chairperson*. This section creates the eChairperson and vVice-eChairperson positions of the entity. Other officer positions may also be created here.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(B) if, and when, the eChairperson is allowed to vote;

(C) if the use of an e-poll is permissible; and

(D) if the use of an e-poll is permissible, who will serve as the Chairperson's designee for the responsibility of conducting an e-poll, if a designee is utilized.

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

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

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

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

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

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

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

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

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

(1) *Stipends*. This section shall include a comprehensive list of all stipends members are eligible to receive and the requirements for collecting each stipend,

if any, in addition to those contained in this law. This section shall also include the procedure to withhold a member's stipend if a member does not meet the identified requirements needed to collect each stipend.

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

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

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

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

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

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

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

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

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

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

105.121. Electronic Polling

105.121-1. An entity may utilize an e-poll when approval of an action may be required before the next available meeting agenda of the entity.

105.121-2. *Conducting an E-Poll*. The Chairperson of the entity, or designee, shall e-mail the e-poll to all members of the entity. Requests for an e-poll shall be sent only from an official e-mail address of the entity. The e-poll's message shall include the following information:

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

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

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

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

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

(b4) ~~a deadline~~a date for a response, ~~to be returned regarding the results of the electronic poll which shall be in bold and identified in a separate paragraph by the words "Deadline for Response."~~

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

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

105.121-3. *Response to an E-Poll.* Only the member of an entity shall respond to an e-poll. A response from a member of an entity shall be valid if received from an official e-mail address of the entity. No responses from unknown e-mails or personal e-mails shall be accepted. An e-poll request shall receive responses from a majority of members of the entity in order to be an official vote.

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

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

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

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

105.121-4. *Entering an E-Poll in the Record.* Both approved and denied e-poll requests shall be placed on the next meeting agenda of the entity to be entered into the record. The agenda item shall contain the following information:

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

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

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

105.132. Reporting Requirements

105.132-1. *Minutes.* All minutes shall be submitted to the Business Committee Support Office~~BCC Department~~ within a reasonable time after approval by the entity, as identified in the entity's bylaws.

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

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

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

105.132-2. *Standard Operating Procedures*. All standard operating procedures established by an entity shall be submitted to the ~~Business Committee Support Office~~ BCC Department, where they shall be kept on file.

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

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

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

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

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

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

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

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

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

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

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

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

105.1~~32~~-5. Any failure to comply with the reporting requirements may result in the Oneida Business Committee placing a hold on the release of a stipend payment.

105.1~~43~~. Stipends, Reimbursement and Compensation

105.1~~43~~-1. Stipends and reimbursement for expenses shall follow the procedures as set out in this section and according to procedures for payment as set out by the Nation, unless otherwise declined by the entity through its bylaws, or declined by a member.

105.1~~43~~-2. The Oneida Business Committee shall set stipend amounts by resolution. The Oneida Business Committee shall periodically review the amounts provided for stipends and, based on the availability of funds, shall adjust those amounts accordingly by amending the resolution. Stipends are paid in the form of cash or cash equivalent, ~~which may include, but is not limited to,~~ gift cards.

105.1~~43~~-3. *Meeting Stipends*. A member of an entity shall only receive a meeting stipend for a regular or emergency meeting where a quorum has been established in accordance with the duly adopted bylaws of that entity, that lasts for at least one (1) hour, and the member collecting the stipend is present for the entire meeting. Meetings can occur in person, by telephone, through videoconferencing, or through other telecommunications.

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

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

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

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

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

105.1~~43~~-4. *Joint Meeting Stipends*. A member of an entity shall only receive a stipend for a joint meeting where a quorum has been established in accordance with the duly adopted bylaws of that entity, that lasts for at least one (1) hour, and the member collecting the stipend is present for the entire meeting. Joint meetings can occur in person, by telephone, through videoconferencing, or through other telecommunications.

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

(1) A joint meeting stipend does not count towards the limitation on meeting stipends as provided for in section 105.1~~43~~-3(a)-(b).

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

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

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

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

105.14-6. *Hearings of an Entity.* A member of an entity that maintains hearing authority may obtain one hearing stipend for conducting a hearings administered by the entity. A hearing consists of all functions related to the resolution of the matter ~~notwithstanding the amount of time it takes to resolve the matter~~, including, but not limited to, ~~any continuations of the hearing and~~ decision drafting. A member may receive additional stipends for any continuation if a continuation is necessary to resolve the matter.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

105.143-110. *Task Force and Ad Hoc Subcommittees*. Members of task force, ad hoc committees and subcommittees shall not be eligible for stipends unless specific exception is made by the Oneida Business Committee or the Oneida General Tribal Council.

105.15. Official Oneida Nation E-mail Address.

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

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

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

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

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

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

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

105.164. Standards of Conduct

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

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

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

- (a) Use their position for personal gain, financial benefit, or advancement of family, friends, or associates.
- (b) Engage in any form of bribery, coercion, or undue influence in the performance of their duties.
- (c) Misuse or misappropriate Nation resources, including funds, property, or confidential information.
- (d) Discriminate against or harass any individual based on race, gender, age, religion, tribal affiliation, or any other protected status.
- (e) Retaliate against any person who reports unethical behavior, misconduct, or violations of this law.
- (f) Falsify records, reports, or communications related to their official duties.
- (g) Accept gifts, gratuities, or honoraria in violation of Section 105.15-10.
- (h) Participate in decisions where a conflict of interest exists, as defined in Section 105.15-8.
- (i) Engage in nepotism or favoritism in hiring, supervision, or contracting, as prohibited in Section 105.15-9.
- (k) Act in a manner that brings dishonor to the Oneida people or undermines the public's trust in the Nation's government.

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

- (a) Commitment to Presence and Preparedness. Members shall attend all scheduled meetings unless excused or prevented by circumstances beyond their control. Absences should be communicated promptly and with respect for the entity's ability to conduct business. Members are expected to arrive prepared, having reviewed all materials necessary for informed decision making.
- (b) Engagement and Respectful Dialogue. Meetings shall be conducted in a manner that upholds the Good Mind and fosters constructive dialogue. Members shall:
 - (1) Actively and thoughtfully participate.
 - (2) Contribute to deliberations with clarity and respect.
 - (3) Listen attentively to others, avoid interruptions, and ensure that all voices are heard.
 - (4) Refrain from conduct that disrupts proceedings or diminishes the dignity of the office.
- (c) Professionalism and Integrity in Deliberation. Decisions shall be made based on merits, facts, and the collective good of the Nation. Members shall:
 - (1) Avoid side conversations, electronic distractions, or any behavior that signals disengagement.
 - (2) Maintain confidentiality of closed-session discussions and sensitive information.
 - (3) Conduct themselves in a manner that reflects honor, impartiality, and accountability.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(b) A member of an entity will continue to treat as private and privileged any confidential information, and will not release any such information to any person, firm, corporation,

or other entity, either by statement, deposition, or as a witness, except upon direct written authority of Oneida Business Committee, and the Nation shall be entitled to an injunction by any competent court to enjoin and restrain the unauthorized disclosure of such information. Such restriction continues after termination of the relationship with the Nation and the entity.

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

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

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

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

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

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

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

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

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

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

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

~~105.16-8. Conflicts of Interest.~~ 105.15-1. All members of an entity are required to adhere to the Nation's laws and policies governing conflicts of interest. ~~105.15-2. A m~~ Members of an entity shall disclose a conflict of interest in writing to the ~~Nation's~~ Secretary as soon as the conflict

arises and update a conflict of interest disclosure form with the ~~Nation's~~ Secretary on an annual basis.

(a) Disclosure Forms.

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

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

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

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

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

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

~~(1a)~~ political appointees;

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

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

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

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

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

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

(c) Employment and Oversight Restrictions. No member shall supervise, evaluate, or participate in employment decisions involving a family member. The Nation shall

implement procedures to ensure that hiring and promotion processes are free from undue influence and favoritism.

105.16-10. Gifts and Honorarium.

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

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

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

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

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

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

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

(d) Gifts below the Reporting Threshold. Gifts or honoraria valued at nine hundred ninety-nine dollars (\$999) or less are not required to be reported on the Gift Disclosure Form.

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

105.176. Use of the Nation's Assets

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

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

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

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

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

105.176-3. Any evidence of noncompliance with any policy regarding the use of the Nation's tribal assets shall be immediately reported to the Internal Audit department. If the Internal Audit department finds evidence of noncompliance, they shall notify the Oneida Law Office, who will

then provide a recommendation to the Government Administrative Office on how to proceed.
~~make a determination of further action to be taken, if any.~~

105.187. Dissolution of an Entity

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

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

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

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

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

105.198. Enforcement

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

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

(b) loss of stipend;

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

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

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

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

(b) removal pursuant to any laws or policies of the Nation²s governing removal; or

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

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

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

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

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

End.

Adopted - BC-08-02-95-A

Amended - BC-05-14-97-F

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

Amended – BC-09-22-10-C

Amended – BC-09-26-18-C

Emergency Amended – BC-03-11-20-B

Emergency Amended – BC-03-17-20-C

Amended – BC-08-12-20-B

Title 1. Government and Finances – Chapter 105
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BOARDS, COMMITTEES, AND COMMISSIONS

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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

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

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

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

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

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

105.3. Definitions

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(p) "Nation" means the Oneida Nation.

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

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

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

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

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

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

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

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

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

105.4. Creation of an Entity

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

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

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

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

105.5. Applications

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

(a) All applications shall include:

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

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

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

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

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

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

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

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

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

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

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

105.6. Vacancies

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

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

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

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

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

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

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

- (1) deliverance of a letter to the BCC Department and to the Chairperson of the entity, or designee; or
- (2) acceptance by motion of the entity of a verbal resignation; and
- (3) certification and acceptance by the Secretary.

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

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

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

- (a) *End of Term.* Automatically sixty (60) days prior to completion of the term.
- (b) *Removal.* No later than the next Oneida Business Committee meeting following the effective date of the removal.
- (c) *Resignation.* No later than the next Oneida Business Committee meeting following the BCC Department's receipt of notice of an effective resignation from the entity.
- (d) *New Positions.* Upon one of the following conditions:
 - (1) if not specified, immediately upon the creation of an entity or the adoption of bylaws, whichever is later; or
 - (2) upon the date specified when creating the entity.
- (e) *Termination of appointment.* No later than the next Oneida Business Committee meeting following the effective date of the termination.

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

105.7. Appointment to an Entity

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

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

- (1) deliver all applications, along with a summary of qualifications to hold office, and the results of the background investigation if required, to each member of the Oneida Business Committee as well as the entity's Chairperson; and
- (2) place the appointment for the entity on the next executive session portion of the agenda of a regular or special Oneida Business Committee meeting in which the appointment is intended to be made; or
- (3) request additional time from the Oneida Business Committee to complete the requirements of section 105.7-1(a)(1)-(2) if delays in compiling the applications, summary of qualifications, or results of any investigations exist.

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

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

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

(c) During executive session, the Oneida Business Committee shall have a full and complete discussion of the merits and qualifications of the potential applicants and any recommendations made by the entity. After completing a thorough discussion the Oneida Business Committee shall:

(1) select an applicant for appointment;

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

(3) ask the Secretary to re-notice the vacancy because of an actual or implied conflict of interest;

(4) direct the Election Board to hold a special election; or

(5) defer to the next administration of the Oneida Business Committee.

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

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

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

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

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

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

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

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

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

(1) delivery of a letter to the BCC Department stating that the individual wishes to decline the appointment; or

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

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

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

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

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

105.8. Election to an Entity

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

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

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

105.9. Oath of Office

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

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

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

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

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

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

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

105.10. Other Responsibilities

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

(a) Conflict of Interest.

(b) Confidentiality Agreement.

(c) Training:

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

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

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

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

(a) Transition of assigned duties and responsibilities.

(b) Return of equipment.

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

(d) Exit interview or survey.

105.11. Bylaws

105.11-1. All entities of the Nation shall have bylaws that conform to the requirements of this law. Bylaws shall become effective upon approval of the Oneida Business Committee, unless General Tribal Council approval is additionally required. (a) All existing entities shall comply with this format and present bylaws for adoption within a reasonable time after creation of the entity, or within a reasonable time after adoption or amendment of this law.

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

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

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

(a) Article I. Authority.

(b) Article II. Officers.

(c) Article III. Meetings.

(d) Article IV. Expectations.

(e) Article V. Stipends and Compensation.

(f) Article VI. Records and Reporting.

(g) Article VII. Amendments.

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

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

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

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

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

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

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

(A) number of members on the entity;

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

(C) how vacancies are filled; and

(D) qualifications for membership on the entity.

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

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

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

(b) "Article II. Officers" shall consist of the following:

(1) *Chairperson and Vice-Chairperson*. This section creates the Chairperson and Vice-Chairperson positions of the entity. Other officer positions may also be created here.

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

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

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

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

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

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

(B) Upon formal approval of a purchase by an entity, the BCC Department shall have official budgetary sign off authority for the entity.

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

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

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

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

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

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

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

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

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

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

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

(B) if, and when, the Chairperson is allowed to vote;

(C) if the use of an e-poll is permissible; and

(D) if the use of an e-poll is permissible, who will serve as the Chairperson's designee for the responsibility of conducting an e-poll, if a designee is utilized.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(3) *Attachments*. Handouts, reports, memoranda, or other relevant documents may be attached to the minutes and agenda, or may be kept separately, provided that all

materials can be identified to the meeting in which they were presented. This section shall identify how records of attachments shall be kept.

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

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

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

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

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

105.12. Electronic Polling

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

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

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

(b) a deadline date for a response.

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

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

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

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

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

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

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

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

- (a) Original e-poll request and all supporting documentation;
- (b) A summary of the e-poll results identifying each member of the entity and their response; and
- (c) A copy of any comment by a member of the entity if comments are made beyond a vote.

105.13. Reporting Requirements

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

105.14. Stipends, Reimbursement, and Compensation

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

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

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

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

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

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

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

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

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

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

(1) A joint meeting stipend does not count towards the limitation on meeting stipends as provided for in section 105.14-3(a)-(b).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1) The amount of the stipend a member is eligible to receive for attendance at a conference or training shall be dependent on whether the member attended up to

four (4) hours of a conference or training, or more than four (4) hours of a conference or training.

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

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

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

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

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

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

105.15. Official Oneida Nation E-mail Address.

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

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

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

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

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

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

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

105.16. Standards of Conduct

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

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

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

- (a) Use their position for personal gain, financial benefit, or advancement of family, friends, or associates.
- (b) Engage in any form of bribery, coercion, or undue influence in the performance of their duties.
- (c) Misuse or misappropriate Nation resources, including funds, property, or confidential information.
- (d) Discriminate against or harass any individual based on race, gender, age, religion, tribal affiliation, or any other protected status.
- (e) Retaliate against any person who reports unethical behavior, misconduct, or violations of this law.
- (f) Falsify records, reports, or communications related to their official duties.
- (g) Accept gifts, gratuities, or honoraria in violation of Section 105.15-10.
- (h) Participate in decisions where a conflict of interest exists, as defined in Section 105.15-8.
- (j) Engage in nepotism or favoritism in hiring, supervision, or contracting, as prohibited in Section 105.15-9.
- (k) Act in a manner that brings dishonor to the Oneida people or undermines the public's trust in the Nation's government.

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

- (a) *Commitment to Presence and Preparedness.* Members shall attend all scheduled meetings unless excused or prevented by circumstances beyond their control. Absences should be communicated promptly and with respect for the entity's ability to conduct business. Members are expected to arrive prepared, having reviewed all materials necessary for informed decision making.
- (b) *Engagement and Respectful Dialogue.* Meetings shall be conducted in a manner that upholds the Good Mind and fosters constructive dialogue. Members shall:
 - (1) Actively and thoughtfully participate.
 - (2) Contribute to deliberations with clarity and respect.
 - (3) Listen attentively to others, avoid interruptions, and ensure that all voices are heard.
 - (4) Refrain from conduct that disrupts proceedings or diminishes the dignity of the office.
- (c) *Professionalism and Integrity in Deliberation.* Decisions shall be made based on merits, facts, and the collective good of the Nation. Members shall:
 - (1) Avoid side conversations, electronic distractions, or any behavior that signals disengagement.
 - (2) Maintain confidentiality of closed-session discussions and sensitive information.
 - (3) Conduct themselves in a manner that reflects honor, impartiality, and accountability.
- (d) *Responsibility for Governance Continuity.* Attendance and participation are essential to the functioning of the Nation's government. Persistent failure to meet these expectations may constitute a breach of trust and be subject to review under enforcement provisions.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(a) *Disclosure Forms*.

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

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

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

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

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

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

(1) political appointees;

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

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

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

105.16-9. *Nepotism Prohibited*. The Oneida people expect their leaders to act with integrity and impartiality. Avoiding nepotism is essential to maintaining the trust between the government and

the community, and to ensuring that all Oneida people have equal opportunity to serve and contribute to the Nation.

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

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

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

105.16-10. *Gifts and Honorarium.*

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

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

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

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

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

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

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

(d) *Gifts below the Reporting Threshold.* Gifts or honoraria valued at nine hundred ninety-nine dollars (\$999) or less are not required to be reported on the Gift Disclosure Form.

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

105.17. *Use of the Nation's Assets*

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

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

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

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

105.18. Dissolution of an Entity

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

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

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

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

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

105.19. Enforcement

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

- (a) termination of appointment by the Oneida Business Committee;
- (b) loss of stipend;
 - (1) when an appointed member's stipend is withheld, the Secretary shall submit written notices to the member, the entity's Chairperson or Vice-Chairperson, as applicable, and the BCC Department; or
- (c) any other penalty identified by the entity in the entity's bylaws.

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

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

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

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

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

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

End.

Adopted - BC-08-02-95-A

Amended - BC-05-14-97-F

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

Amended – BC-09-22-10-C

Amended – BC-09-26-18-C

Emergency Amended – BC-03-11-20-B

Emergency Amended – BC-03-17-20-C

Amended – BC-08-12-20-B

FINANCE ADMINISTRATION

Fiscal Impact Statement



MEMORANDUM

TO: RaLinda Ninham-Lamberies, Chief Financial Officer
 FROM: Rae Skenandore, Sr. Analyst/Budget Coordinator
 DATE: July 23, 2026
 RE: Fiscal Impact of the Amendments to the Boards, Committees and Commissions Law

I. Estimated Fiscal Impact Summary

Fiscal Impact of the Amendments to the Boards, Committees and Commissions Law		
Implementing Agency	Oneida Business Committee Boards, Committees, and Commissions Department Oneida Nation Government Administrative Office (GAO)	
Estimated Impact	Year One (1)	Five (5) Year Estimate
Total Estimated Fiscal Impact	Indeterminate	Indeterminate

II. Background

The Boards, Committees and Commissions Law was adopted through resolution BC-08-02-95-A in August of 1995. The law was subsequently amended by the Oneida Business Committee through the following resolutions:

- BC-05-14-97-F
- BC-09-22-10-C
- BC-03-17-20-C
- BC-04-12-06-JJ
- BC-09-26-18-C
- BC-08-12-20-B
- BC-09-27-06-E
- BC-03-11-20-B

The law was added to the active files in February of 2024.

The purpose of this 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 amendments to the Law contain the following:

- Clarifies the purpose of the amendments is to establish clear standards of conduct.
- Clarifies the policy of the Nation is 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.
- Strengthens, clarifies, and add definitions.

- Clarifies that the Oneida Business Committee or designee shall be responsible for drafting the initial bylaws and the Oneida Business Committee will approve the initial bylaws.
- Clarifies the responsibilities of the Boards, Committees, Commissions Department, including:
 - responsibilities once managed by the Business Committee Support Office.
 - managing offboarding procedures for when a member leaves an entity.
- Clarifies when a member's term ends and that the member may remain in their position until the successor is sworn in but no longer than sixty (60) business days.
- Clarifies that all entities must be in compliance with the Nation's travel policies.
- Clarifies that all entities must address conflict resolution and leaves of absence in their bylaws.
- Clarifies that all entities must include a procedure for withholding a member's stipend in their bylaws.
- Clarifies 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.
- Clarifies that 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.
- Clarifies that every appointed and elected member will receive an official Oneida Nation email address.
- Clarifies standards of conduct such as:
 - good mind
 - cultural accountability
 - several instances of prohibited conduct
 - attendance and meeting conduct
 - nepotism
 - gifts and honoraria
 - fair dealing and impartiality
- Clarifies how the Nation will manage actual or implied conflicts of interest including the creation and maintenance of annual and as-needed disclosure forms.
- Adds a requirement that all members shall submit disclosure forms annually and within a reasonable time after a conflict arises or becomes known.
- Clarifies that 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.
- Clarifies 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.
- Clarifies that members have an ongoing duty to disclose and shall promptly disclose and comply with the requirements of a conflict of interest mitigation plan.
- Clarifies enforcement provisions.

- Includes 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.
- Other minor grammatical changes.

III. Methodology and Assumptions

A “Fiscal Impact Statement” means an estimate of the total identifiable fiscal year financial effects associated with a petition or legislation and includes startup costs, personnel, office, documentation costs, as well as an estimate of the amount of time necessary for an agency to comply with the Law after implementation.

Finance does NOT identify the source of funding for the estimated cost or allocate any funds to the legislation.

The analysis was completed based on the information provided as of the date of this memo.

IV. Findings

Based on the language in the amendments, the law appears to create a new department titled the Boards, Committees, Commissions Department. It is anticipated that the creation of a new department will include costs. Information on the additional costs has not been provided.

V. Financial Impact

Fiscal impact is indeterminate.

VI. Recommendation

Finance does not make a recommendation about a course of action in this matter. Rather, the purpose of a Fiscal Impact Statement is to disclose the potential fiscal impact of the action so that the Oneida Business Committee and General Tribal Council have the information with which to render a decision.



Legislative Operating Committee
August 05, 2026

Code of Ethics Law Amendments

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

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

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

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

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

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

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

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

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

- 10/17/25:** *Work Meeting.* Present: Jameson Wilson, Jennifer Webster, Kirby Metoxen, Fawn Cottrell, Kristal Hill, Rhiannon Metoxen, Laura Laitinen-Warren, Carolyn Salutz, Grace Elliott. The purpose of this meeting was to review the section of the draft addressing a potential prohibition on elected officials applying for positions within the Nation while in office.
- 11/14/25:** *Work Meeting.* Present: Jameson Wilson, Kirby Metoxen, Jennifer Webster, Jonas Hill, Fawn Cottrell, Rhiannon Metoxen, Grace Elliott, Kristal Hill. The purpose of this meeting was to review the revised employment application section, alternate definitions, tone and language adjustments, gifts and honorarium section, enforcement and restorative justice sections, and identify next steps.
- 11/19/25:** *Work Meeting.* Present: Grace Elliott, Peggy VanGheem. The purpose of this meeting was to collaborate with the Law Office, receive questions or concerns, and identify suggestions that may be incorporated into the draft or flagged for further group discussion.
- 1/9/26:** *Work Meeting.* Present: Jameson Wilson, Kirby Metoxen, Jennifer Webster, Laura Laitinen-Warren, Carolyn Salutz, Clorissa Leeman, Grace Elliott, Peggy VanGheem, Kristal Hill, Fawn Cottrell, Rhiannon Metoxen. The purpose of this meeting was to review the draft amendments against the checklist to ensure that the latest edits met expectations.
- 1/15/26:** *Work Meeting.* Present: Jameson Wilson, Jennifer Webster, Laura Laitinen-Warren, Carolyn Salutz, Grace Elliott. The purpose of this meeting was to review documentation related to the decision to focus the Code of Ethics on the OBC. Consensus was to continue on this path.
- 1/29/26:** *Work Meeting.* Present: Jameson Wilson, Jennifer Webster, Jonas Hill, Kirby Metoxen, Carolyn Salutz, Clorissa Leeman, Grace Elliott. The purpose of this meeting was for the LOC to reconsider the scope of the Code of Ethics. LOC determined that the Code of Ethics be limited to Oneida Business Committee based on information provided that employees are effectively regulated by the Personnel, Policies and Procedures and Conflict of Interest laws, BCCs are effectively regulated under the BCC, Conflict of Interest, and Removal laws—in addition to the fact that the BCC and Conflict of Interest laws are both currently open on the Active Files list and may be amended as necessary to enhance already present protections. Additionally, the LOC has accepted several requests for stand alone laws to address OBC ethics related matters that can be most efficiently and effectively addressed under the Code of Ethics.
- 2/4/26:** *Work Meeting.* Present: Jameson Wilson, Jennifer Webster, Jonas Hill, Clorissa Leeman, Carolyn Salutz, Grace Elliott. The purpose of this meeting was for the LOC to review various sections of the draft law. Decision was made to remove any references to enforcement provisions.

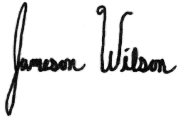
- 2/16/26:** *Work Meeting.* Present: Jameson Wilson, Jennifer Webster, Jonas Hill, Kirby Metoxen, Carolyn Salutz, Grace Elliott. The purpose of this meeting was review the entire draft for potential LOC approval and to specifically review the reporting processes for gift and conflict of interest disclosures. The LOC requested definitions for “sacred trust” and information on federal standards for meeting conduct and acceptance of gifts. Follow-up is scheduled for 2/18/26.
- 2/18/26:** *Work Meeting.* Present: Jameson Wilson, Jennifer Webster, Jonas Hill, Kirby Metoxen, Carolyn Salutz, Kristal Hill, Fawn Billie, Grace Elliott. The purpose of this meeting was to review definitions of sacred trust language and review federal standards for employees and elected officials’ acceptance of gifts. The LOC chose to incorporate all six definitions of sacred trust within the law, and determined to set the gift reporting threshold at one thousand dollars to address the request for reporting lavish gifts.
- 2/23/26:** *Work Meeting.* Present: Jameson Wilson, Jennifer Webster, Jonas Hill, Kirby Metoxen, Carolyn Salutz, Kristal Hill, Fawn Billie, Grace Elliott. The purpose of this meeting was to review sacred trust language placement within the law and refine language.
- 3/4/26:** *Work Meeting.* Present: Jameson Wilson, Jennifer Webster, Jonas Hill, Kirby Metoxen, Carolyn Salutz, Kristal Hill, Fawn Billie, Clorissa Leeman, Grace Elliott. The purpose of this meeting was to complete a read through of the entire law for LOC review and initial approval to move forward through the legislative process.
- 3/18/26 LOC:** Motion by Jennifer Webster to approve the Code of Ethics law amendments draft, legislative analysis and the public meeting packet for the Code of Ethics law amendments and schedule a public meeting to be held on May 14, 2026; seconded by Kirby Metoxen. Motion carried unanimously.
- 5/14/26:** *Public Meeting Held.* No individuals provided comment during the public comment meeting.
- 5/21/26:** *Public Comment Closed.* One individual provided written comments.
- 6/17/26 LOC:** Motion by Jennifer Webster to accept the public comments and the public comment review memorandum for the proposed amendments to the Code of Ethics and defer to a work meeting for further consideration; seconded by Jonas Hill. Motion carried unanimously.
- 6/17/26:** *Work meeting.* Present: Jennifer Webster, Jonas Hill, Kirby Metoxen, Clorissa Leeman, Carolyn Salutz, Grace Elliott. The purpose of this meeting was for the LOC to consider comments provided on the proposed amendments to the Code of Ethics and provide responses for the public comment memorandum.
- 7/1/26 LOC:** Motion by Jennifer Webster to approve the updated public comment review memorandum with LOC consideration, updated legislative analysis, and updated draft for the proposed amendments to the Code of Ethics; seconded by Jonas Hill. Motion carried unanimously.

Motion by Jennifer Webster to Approve the Fiscal Impact Statement Request Memorandum for the proposed amendments to the Code of Ethics, and direct the Finance Department to provide the LOC with a fiscal impact statement by July, 17, 2026; seconded by Jonas Hill. Motion carried unanimously

Next Steps:

- Approve the adoption packet for the proposed amendments to the Code of Ethics.



TO: Oneida Business Committee
FROM: Jameson Wilson, LOC Chairperson 
DATE: August 12, 2026
RE: Adoption of Amendments to the Code of Ethics Law

Please find the following attached backup documentation for your consideration of the adoption of amendments to the Code of Ethics Law:

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

Overview

The purpose of the Code of Ethics Law is to establish clear standards of conduct rooted in the values of the Oneida people, to guide those entrusted with authority in serving the Nation with honor and responsibility. These standards reflect the sacred trust between the government and the people, and are intended to promote integrity, uphold the will of the Nation, and preserve the confidence of the Oneida people. [1 O.C. 103.1-1]. Amendments to the Code of Ethics Law are being sought to:

- Update the Code of Ethics so it clearly focuses on the Oneida Business Committee, bringing all expectations for how leaders should conduct themselves into one easy-to-understand law. [1 O.C. 103.1–103.4].
- Integrate the Great Law of Peace into the ethical foundation, affirming decision-making grounded in peace, unity, and thoughtful deliberation as cultural mandates for governance. [1 O.C. 103.3-1(c)].
- Ground the ethical framework in the Good Mind teachings, infusing leadership obligations with humility, compassion, clarity, and community-centered thinking. [1 O.C. 103.1-2].
- Articulate the concept of Sacred Trust, emphasizing leadership as a duty held on behalf of past, present, and future generations rather than an individual entitlement. [1 O.C. 103.4-1(c)].
- Clarify the definition of “Conflict of Interest” to encompass financial, personal, and political interests affecting leaders and their immediate families, reinforcing impartial stewardship. [1 O.C. 103.3-1(a)].
- Mandate transparent disclosure of conflicts, ensuring ethical clarity consistent with the Good Mind’s call for honesty and openness in governance. [1 O.C. 103.4-2(a)].
- Require OBC members to recuse themselves from matters in which conflicts exist, upholding the Great Law of Peace’s expectation that leaders avoid self-interest. [1 O.C. 103.4-2].

- Implement structured annual and as-needed conflict-of-interest filings, creating accountability mechanisms that reinforce responsible leadership. [*1 O.C. 103.4-2(c)(1)-(3)*].
- Modernize gift and honoraria reporting by increasing financial thresholds and updating reporting processes to better reflect contemporary governance realities including public disclosure. [*1 O.C. 103.4-9(b)*].
- Prohibit acceptance of gifts tied to influence or business advantage, protecting the Nation's decision-making from external pressure and maintaining community trust. [*1 O.C. 103.4-9(a)*].
- Regulate OBC members' applications for positions that report directly to the Committee, preventing conflicts before they arise and strengthening procedural fairness. [*1 O.C. 103.4-8*].
- Safeguard confidential information by restricting its use for personal, financial, or political benefit, aligning with the Haudenosaunee value of responsible and respectful speech. [*1 O.C. 103.4-3*].
- Promote fairness and impartiality in leadership actions, ensuring decisions are made through unbiased judgment grounded in the Good Mind and collective well-being. [*1 O.C. 103.4-5*].
- Prohibit nepotism in hiring, supervision, and resource decisions, maintaining equitable access and protecting the legitimacy of OBC leadership. [*1 O.C. 103.4-7*].
- Reinforce accountability and transparency as essential qualities of public office, affirming that OBC authority flows from the people and must remain answerable to them. [*1 O.C. 103.4-6*].
- Elevate cultural accountability by requiring OBC members to conduct themselves in ways that honor Oneida identity, teachings, and responsibilities. [*1 O.C. 103.4-11*].
- Strengthen expectations for meeting attendance, preparation, and professional engagement, acknowledging that presence and participation are integral to carrying the Sacred Trust. [*1 O.C. 103.4-12*].
- Codify a comprehensive list of prohibited behaviors—including retaliation, discrimination, misuse of office, and corruption—to uphold dignity and protect community confidence in leadership. [*1 O.C. 103.4-10*].
- Align enforcement with broader Nation laws to provide consistency, due process, and integrity in the handling of ethical violations. [*1 O.C. 103.5*].

The Legislative Operating Committee developed the proposed amendments to the Code of Ethics Law through collaboration with representatives from the Oneida Law Office, Oneida Human Resources, Oneida Gaming, and the Oneida Police Department. The Legislative Operating Committee held fifteen (15) work meetings on the development of the amendments to the Code of Ethics Law.

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

The Legislative Operating Committee held a public meeting on the proposed amendments to the Code of Ethics Law on May 14, 2026. No individuals provided public comments during this public meeting. The public comment period was then held open until May 21, 2026. One individual provided written comments during the public comment period.

The amendments to the Code of Ethics Law will become effective, August 26, 2026.

Requested Action

Adopt the Resolution: Amendments to the Code of Ethics Law.

Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

BC Resolution # Amendments to the Code of Ethics Law

- WHEREAS,** the Oneida Nation is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States of America; and
- WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Nation; and
- WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV, Section 1, of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS,** the Code of Ethics Law ("the Law") was adopted by the Oneida Business Committee through resolution BC-11-23-94-A and amended by Resolutions BC-04-12-06-JJ, and BC-09-27-06-E; and
- WHEREAS,** the purpose of this Law is to establish clear standards of conduct rooted in the values of the Oneida people, to guide the Oneida Business Committee in serving the Nation with honor and responsibility. These standards reflect the sacred trust between the government and people, and are intended to promote integrity, uphold the will of the Nation, and preserve the confidence of the Oneida people; and
- WHEREAS,** the amendments to the Law integrate the Great Law of Peace into the ethical foundation, affirming decision-making grounded in peace, unity, and thoughtful deliberation as cultural mandates for governance; and
- WHEREAS,** the amendments to the Law ground the ethical framework in the Good Mind teachings, infusing leadership obligations with humility, compassion, clarity, and community-centered thinking; and
- WHEREAS,** the amendments to the Law articulate the concept of Sacred Trust, emphasizing leadership as a duty held on behalf of past, present, and future generations rather than an individual entitlement; and
- WHEREAS,** the amendments to the Law modernize gift and Honoria reporting by increasing financial thresholds and updating reporting processes to better reflect contemporary governance realities including public disclosure; and
- WHEREAS,** the amendments to the Law codify a comprehensive list of prohibited behavior including retaliation, discrimination, misuse of office, and corruption, to uphold dignity and protect community confidence in leadership; and
- WHEREAS,** the amendments to the Law regulate OBC members' applications for positions that report directly to the OBC, preventing conflicts before they arise and strengthening procedural fairness; and

45 **WHEREAS,** the amendments to the Law strengthen expectations for meeting attendance,
46 preparation, and professional engagement, acknowledging that presence and
47 participation are integral to carrying the Sacred Trust; and
48

49 **WHEREAS,** the Legislative Operating Committee developed the proposed amendments to the Law
50 through collaboration with representatives from the Oneida Law Office; and
51

52 **WHEREAS,** in accordance with the Legislative Procedures Act a legislative analysis and fiscal impact
53 statement were completed for the proposed amendments to the Law; and
54

55 **WHEREAS,** the Legislative Operating Committee held a public meeting on the proposed amendments
56 to the Law on May 14, 2026, with no individuals providing oral comments, and the public
57 comment period for the amendments to this Law was held open until May 21, 2026, with
58 one individual providing written comments; and
59

60 **NOW THEREFORE BE IT RESOLVED,** the Oneida Business Committee hereby adopts the amendments
61 to the Code of Ethics Law, which shall become effective on August 26, 2026.
62
63
64
65



Statement of Effect

Amendments to the Code of Ethics Law

Summary

This resolution adopts amendments to the Code of Ethics Law.

Submitted by: Grace L. Elliott, Staff Attorney, Legislative Reference Office

Date: August 05, 2026

Analysis by the Legislative Reference Office

The purpose of the Code of Ethics Law is to establish clear standards of conduct rooted in the values of the Oneida people, to guide those entrusted with authority in serving the Nation with honor and responsibility. These standards reflect the sacred trust between the government and the people, and are intended to promote integrity, uphold the will of the Nation, and preserve the confidence of the Oneida people. [1 O.C. 103.1-1]. Amendments to the Code of Ethics Law are being sought to:

- Update the Code of Ethics so it clearly focuses on the Oneida Business Committee, bringing all expectations for how leaders should conduct themselves into one easy-to-understand law. [1 O.C. 103.1–103.4].
- Integrate the Great Law of Peace into the ethical foundation, affirming decision-making grounded in peace, unity, and thoughtful deliberation as cultural mandates for governance. [1 O.C. 103.3-1(c)].
- Ground the ethical framework in the Good Mind teachings, infusing leadership obligations with humility, compassion, clarity, and community-centered thinking. [1 O.C. 103.1-2].
- Articulate the concept of Sacred Trust, emphasizing leadership as a duty held on behalf of past, present, and future generations rather than an individual entitlement. [1 O.C. 103.4-1(c)].
- Clarify the definition of “Conflict of Interest” to encompass financial, personal, and political interests affecting leaders and their immediate families, reinforcing impartial stewardship. [1 O.C. 103.3-1(a)].
- Mandate transparent disclosure of conflicts, ensuring ethical clarity consistent with the Good Mind’s call for honesty and openness in governance. [1 O.C. 103.4-2(a)].
- Require OBC members to recuse themselves from matters in which conflicts exist, upholding the Great Law of Peace’s expectation that leaders avoid self-interest. [1 O.C. 103.4-2].
- Implement structured annual and as-needed conflict-of-interest filings, creating accountability mechanisms that reinforce responsible leadership. [1 O.C. 103.4-2(c)(1)-(3)].
- Modernize gift and honoraria reporting by increasing financial thresholds and updating reporting processes to better reflect contemporary governance realities including public disclosure. [1 O.C. 103.4-9(b)].
- Prohibit acceptance of gifts tied to influence or business advantage, protecting the Nation’s decision-making from external pressure and maintaining community trust. [1 O.C. 103.4-9(a)].

- Regulate OBC members' applications for positions that report directly to the Committee, preventing conflicts before they arise and strengthening procedural fairness. *[1 O.C. 103.4-8]*.
- Safeguard confidential information by restricting its use for personal, financial, or political benefit, aligning with the Haudenosaunee value of responsible and respectful speech. *[1 O.C. 103.4-3]*.
- Promote fairness and impartiality in leadership actions, ensuring decisions are made through unbiased judgment grounded in the Good Mind and collective well-being. *[1 O.C. 103.4-5]*.
- Prohibit nepotism in hiring, supervision, and resource decisions, maintaining equitable access and protecting the legitimacy of OBC leadership. *[1 O.C. 103.4-7]*.
- Reinforce accountability and transparency as essential qualities of public office, affirming that OBC authority flows from the people and must remain answerable to them. *[1 O.C. 103.4-6]*.
- Elevate cultural accountability by requiring OBC members to conduct themselves in ways that honor Oneida identity, teachings, and responsibilities. *[1 O.C. 103.4-11]*.
- Strengthen expectations for meeting attendance, preparation, and professional engagement, acknowledging that presence and participation are integral to carrying the Sacred Trust. *[1 O.C. 103.4-12]*.
- Codify a comprehensive list of prohibited behaviors—including retaliation, discrimination, misuse of office, and corruption—to uphold dignity and protect community confidence in leadership. *[1 O.C. 103.4-10]*.
- Align enforcement with broader Nation laws to provide consistency, due process, and integrity in the handling of ethical violations. *[1 O.C. 103.5]*.

The Legislative Operating Committee held a public meeting on the proposed amendments to the Code of Ethics Law on May 14, 2026. No individuals provided public comments during this public meeting. The public comment period was then held open until May 21, 2026. One individual provided written comments during the public comment period.

The amendments to the Code of Ethics Law will become effective on August 26, 2026.

Conclusion

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



CODE OF ETHICS LAW AMENDMENTS LEGISLATIVE ANALYSIS

SECTION 1. EXECUTIVE SUMMARY

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

	- Prohibit nepotism in hiring, supervision, and resource decisions, maintaining equitable access and protecting the legitimacy of OBC leadership. <i>[1 O.C. 103.4-7].</i> - Reinforce accountability and transparency as essential qualities of public office, affirming that OBC authority flows from the people and must remain answerable to them. <i>[1 O.C. 103.4-6].</i> - Elevate cultural accountability by requiring OBC members to conduct themselves in ways that honor Oneida identity, teachings, and responsibilities. <i>[1 O.C. 103.4-11].</i> - Strengthen expectations for meeting attendance, preparation, and professional engagement, acknowledging that presence and participation are integral to carrying the Sacred Trust. <i>[1 O.C. 103.4-12].</i> - Codify a comprehensive list of prohibited behaviors—including retaliation, discrimination, misuse of office, and corruption—to uphold dignity and protect community confidence in leadership. <i>[1 O.C. 103.4-10].</i> - Align enforcement with broader Nation laws to provide consistency, due process, and integrity in the handling of ethical violations. <i>[1 O.C. 103.5].</i>
Purpose	The purpose of this law is to establish clear standards of conduct rooted in the values of the Oneida people, to guide those entrusted with authority in serving the Nation with honor and responsibility. These standards reflect the sacred trust between the government and the people, and are intended to promote integrity, uphold the will of the Nation, and preserve the confidence of the Oneida people. In a government founded upon the consent of the people, it is the right of the Oneida to expect loyalty, honesty, and accountability from those who serve. <i>[1 O.C. 103.1-1].</i>
Affected Entities	Oneida Business Committee; Office of the Nation Secretary; Oneida Law Office; Elected Officials; Appointed Officials; Employees of the Nation and its enterprises.
Related Legislation	Boards, Committees, and Commissions law; Conflict of Interest law; Removal law.
Enforcement	Enforcement of this law shall be conducted in accordance with all applicable laws and regulations of the Nation. <i>[1 O.C. 103.5]</i>
Due Process	The Code of Ethics law incorporates core due process protections by clearly defining prohibited conduct and ethical obligations in advance, thereby providing notice to Oneida Business Committee members of the standards governing their conduct <i>[1 O.C. 103.4, 103.4-10]</i> . It establishes mandatory conflict-of-interest disclosure and recusal procedures to provide impartial decision-making and prevent biased participation <i>[1 O.C. 103.4-2(a)–(c)]</i> and expressly prohibits retaliation against individuals who report unethical behavior, safeguarding fair enforcement and participation in accountability processes <i>[1 O.C. 103.4-10(e)]</i> . The law further reinforces due process through transparency and public accountability requirements, including open governance practices, public records, and disclosure of gifts and honoraria <i>[1 O.C. 103.4-6(b), 103.4-9(b)–(c)]</i> . Finally, enforcement is constrained by a requirement that all actions be taken in accordance with applicable Oneida laws, preventing arbitrary or ad hoc application <i>[1 O.C. 103.5]</i> .
Public Meeting	A public meeting was held on May 14, 2026. No individuals provided comment during the public comment meeting. The public comment period was then held open until May 21, 2026, with one individual providing written comments.
Fiscal Impact	A fiscal impact statement was provided by the Finance Administration on August 5, 2026.

SECTION 2. LEGISLATIVE DEVELOPMENT

- A. **Background.** The Code of Ethics was previously adopted and amended as follows: minutes 10-21-91; resolution BC-11-23-94-A; emergency amendment BC-04-12-06-JJ; amended BC-09-27-06-E.
- B. **Request for Amendments.** The Code of Ethics was carried over from last four (4) terms. Amendments to the Code of Ethics are being sought to strengthen accountability of employees, elected officials, and appointed officials. On October 26, 2022, the Oneida Business Committee adopted a motion to request the Legislative Operating Committee to consider deletion of section 103.7 from the Code of Ethics.

SECTION 3. CONSULTATION AND OUTREACH

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

SECTION 4. PROCESS

- A. The amendments to this Law comply with the process set forth in the Legislative Procedures Act.
 - On October 4, 2023, the Legislative Operating Committee added this Law to its Active Files List for amendments.
 - On May 14, 2026, the Legislative Operating Committee held a public comment meeting on the proposed amendments to the Code of Ethics, with the comment period held open until May 21, 2026. One individual provided written comments during the comment period.
 - On June 17, 2026 the Legislative Operating Committee accepted the public comments and the public comment review memorandum for the proposed amendments to the Code of Ethics and deferred them to a work meeting for further consideration.
 - On July 1, 2026, the Legislative Operating Committee approved the updated public comment memorandum with LOC consideration, updated legislative analysis, and updated draft for the proposed amendments to the Code of Ethics.
 - On July 1, 2026, the Legislative Operating Committee approved the Fiscal Impact Statement Request Memorandum for the proposed amendments to the Code of Ethics, and direct the Finance Department to provide the LOC with a fiscal impact statement by July 17, 2026.
 - On August 5, 2026, the Finance Administration provided a fiscal impact statement for the proposed amendments to the Code of Ethics.
- B. At the time this legislative analysis was developed the following work meetings had been held regarding the development of the amendments to this law:
 - April 1, 2025: LOC work session.
 - May 5, 2025: LOC work session.

- May 14, 2025: LOC work session with Human Resources.
- June 6, 2025: LOC work session.
- July 28, 2025: LOC work session.
- October 17, 2025: LOC work session
- November 19, 2025: LRO work session with the Oneida Law Office.
- January 9, 2026: LOC work session with Human Resources and Oneida Law Office.
- January 15, 2026: LOC work session Human Resources.
- January 29, 2026: LOC work session.
- February 4, 2026: LOC work session.
- February 16, 2026: LOC work session.
- February 18, 2026: LOC work session.
- March 4, 2026: LOC work session.
- June 17, 2026: LOC work session.

SECTION 5. CONTENTS OF THE LEGISLATION

- **Definitions.** The proposed amendments to the Law remove definitions for terms that are no longer used in the law, including the following: Government Official [1 O.C. 103.2(a)], Administrative Staff [1 O.C. 103.2(b)], Program [1 O.C. 103.2(c)], Program personnel [1 O.C. 103.2(d)], Enterprise [1 O.C. 103.2(e)], Enterprise employees [1 O.C. 103.2(f)]. Definitions are added or amended for the following terms: Administrative Staff [1 O.C. 103.3-1(a)], Conflict of Interest (expanded) [1 O.C. 103.3-1(b)], Family Member [1 O.C. 103.3-1(e)], Nation [1 O.C. 103.3-1(f)], Oneida people [1 O.C. 103.3-1(g)].
 - *Effect.* Updating the definitions to incorporate new terms, remove obsolete ones, and revise existing terms to reflect current practices enhances clarity and precision within the Law. These updates reduce ambiguity by clearly specifying the meaning of each term in context, thereby minimizing the risk of misinterpretation and legal disputes, and improving accessibility for all readers. Definitions clarify the scope and parties subject to the Code, and broadens conflict coverage to include real/apparent interests and immediate family relationships. These changes also affirm Oneida identity by defining the community explicitly, ensuring the law reflects relational accountability and cultural belonging. The expanded Conflict of Interest definition strengthens ethical protections by including family and political interests, not just financial ones.
- **Good mind and Sacred Trust Framework.** The proposed amendments incorporate the Good Mind teachings directly into the ethical foundation of the law. These teachings — including Kahletsyallésla (encouraging the best in each other), Kanolukhwát^sla (compassion and identity), Ka?nikuhli.yo (openness of spirit), Ka?tshatst^sla (strength of vision), Kalihwi.yo (good words), Twahwahtsilayá (we are all family), and Yukwatsistayá (the fire within) — are identified as core expectations for OBC members. [1 O.C. 103.1-2].
 - *Effect.* This change re-roots the Code in Oneida cultural teachings, reinforcing that ethical leadership is not merely procedural but spiritual, relational, and reflective of ancestral values. It supports community understanding that leaders are called to uphold balance, compassion, truth, and unity when carrying out their responsibilities.

- ***Great Law of Peace Integration.*** The proposed amendments incorporate the Great Law of Peace into the definitions section as a guiding principle for leadership conduct and ethical deliberation. [1 O.C. 103.3-1(c)].
 - *Effect.* Incorporating the Great Law of Peace into the Code of Ethics reaffirms that OBC members must carry themselves with calm deliberation, peace, and a sense of collective responsibility. It places Haudenosaunee governance principles at the center of modern legislative expectations, strengthening continuity between ancient teachings and contemporary leadership.
- ***Scope of Law Clarified.*** The proposed amendments revise the scope of application of the Code of Ethics to apply exclusively to Oneida Business Committee, removing prior references to government officials, program personnel, and employees. [1 O.C. 103.1-1].
 - *Effect.* This clarification distinguishes the ethical frameworks applicable to different groups serving the Nation. Under the amended structure, ethical standards for Oneida Business Committee members are consolidated within the Code of Ethics, reflecting the unique authority and responsibilities of elected leadership. Ethical standards applicable to Nation employees continue to be governed through the Personnel Policies and Procedures, the Conflict of Interest law, and related employment laws and policies. Ethical standards for boards, committees, and commissions are governed through the Boards, Committees, and Commissions Law and entity bylaws, which are designed to address the distinct roles and governance structures of those bodies.

This approach aligns ethical standards with the appropriate governing framework for each group, ensuring that expectations remain defined, enforceable, and tailored to function. By clarifying scope in this manner, the amendments do not remove ethical obligations but instead organize them within the systems where they are most effectively implemented and enforced, supporting consistency, transparency, and accountability across the Nation’s governance and employment structures.
- ***Unified Standards of Conduct.*** The proposed amendments to the Law consolidate all ethical expectations into a single Standards of Conduct section. While the Scope section clarifies *who* the Code applies to, this structural change clarifies *where* the expectations are found. By bringing all standards into one location, the Code becomes easier for the community to understand and for elected leaders to follow, replacing the former multi-section format that applied differently to government officials, program personnel, and enterprise employees.
 - *Effect.* A unified Standards of Conduct section makes the Code more accessible to the public by collecting all expectations in one place. Community members no longer need to navigate multiple sections to understand what is expected from elected leadership. This change also reflects a shift in responsibility: OBC members hold the authority to act on behalf of the Nation, and it is appropriate that the ethical standards be tailored directly to their roles. The unified structure supports transparency and easier public engagement.
- ***Conflicts of Interest Procedures Strengthened.*** The proposed amendments to the Law introduce more detailed procedures for identifying, disclosing, and addressing conflicts of interest, including required annual and situational disclosure forms, agenda placement, and mandatory abstention when conflicts arise. [1 O.C. 103.4-2(a)–(c)].
 - *Effect.* These updates require that decisions affecting the Nation are made fairly and without personal interests affecting outcomes. By shifting to a structured, proactive approach, the

- amendments reduce the likelihood of hidden conflicts or confusion about disclosure obligations. For the community, this means increased confidence that OBC members act with clarity of purpose and integrity consistent with Good Mind teachings.
- ***Employment Application by OBC Members.*** The proposed amendments to the Law regulate when and how a member of the Oneida Business Committee may apply for a position within the Nation while still in office. The amendment requires an OBC member to provide written notice to the full Committee before applying for any position that reports directly to the OBC. The notice must identify the position sought and the hiring authority. The provision also requires the member to refrain from participating in any hiring-related decisions, discussions, or processes for that position. [1 O.C. 103.4-8(a)–(c)].
 - *Effect.* This update increases fairness and transparency in internal hiring by ensuring that OBC members do not use their elected position to gain an advantage when applying for Tribal employment. It helps the community understand that while OBC members may apply for positions, they must do so in a way that respects boundaries, avoids the appearance of influence, and maintains integrity in the hiring process. By clearly defining the required notice and prohibiting participation in hiring decisions, the law supports consistent procedures, protects against conflicts of interest, and strengthens community trust in the Nation’s employment practices.
 - ***Gift, Honoraria & Sponsored Event Reporting.*** The proposed amendments to the Law raises the gift-reporting threshold to \$500 and creates a new OBC Gift Disclosure Form, while assigning responsibility for public records to the Office of the Nation Secretary. [1 O.C. 103.4-9(a)–(e)]. They also strengthen transparency by requiring OBC members to formally report any gift, honorarium, or sponsored event meeting the reporting threshold, and to submit this information for OBC acceptance as an agenda item. The amendments also require the Office of the Nation Secretary to maintain these disclosures as public records, ensuring community access to this information. [1 O.C. 103.4-9(b)–(c)].
 - *Effect.* These updates help the community clearly see what gifts elected leaders receive and how they are handled. Requiring OBC action prevents individual members from deciding privately whether gifts are appropriate, and placing disclosures in the public record provides openness and accountability. This builds trust by making sure that gifts cannot influence decisions without community awareness and oversight, and reinforces the expectation that OBC members act in service of the Nation rather than personal benefit. This process provides a clear, workable system for determining when gifts are acceptable and when they must be reported. Centralizing recordkeeping strengthens public oversight and supports trust in the fairness and independence of governmental decisions.
 - ***Attendance, Preparedness, and Meeting Decorum Requirements.*** The proposed amendments to the Law add a new set of expectations governing an OBC member’s participation in official meetings. These updates require OBC members to attend all scheduled meetings unless excused, to arrive prepared after reviewing agenda materials, and to participate professionally and respectfully throughout the proceedings. The section emphasizes that OBC members must avoid disruptive behaviors, refrain from side conversations or distractions, respect the voices of others, and uphold confidentiality in closed-session matters. [1 O.C. 103.4-12(a)–(d)].
 - *Effect.* These additions remind both leaders and the community that the ability of the Nation’s government to function effectively depends on the consistent presence and preparedness of its

- elected officials. By clearly outlining expectations around attendance, respectful engagement, and responsible conduct, the amendments reinforce that serving on the OBC is a serious commitment requiring focus, reliability, and discipline. This supports smoother decision-making, strengthens internal professionalism, and demonstrates to the community that OBC members understand the importance of showing up, staying engaged, and honoring their roles in carrying out the Nation's business. This aligns with Haudenosaunee values of collective deliberation and responsible service.
- **Other amendments.** Overall, additional amendments and revisions were made to the Law to address formatting, drafting style, and organization that did not affect the substance of the Law.

SECTION 6. EXISTING LEGISLATION

- A. **Related legislation.** The following laws of the Nation are related to the proposed amendments to this Law:
- **Boards, Committees, and Commissions Law.** The purpose of the Boards, Committees, and Commissions law is to govern boards, committees, and commissions of the Nation, including the procedures regarding the appointment and election of persons to boards, committees and commissions, creation of bylaws, maintenance of official records, compensation, and other items related to boards, committees and commissions. [1 O.C. 105.1-1]. The underlying policy is to have consistent and standard procedures for choosing and appointing or electing the most qualified persons to boards, committees and commissions, for creation of bylaws governing boards committees and commissions, and for the maintenance of information created by and for boards, committees and commissions. [1 O.C. 105.1-2].
 - The Boards, Committees, and Commissions Law requires each entity to establish (ethical) behavior standards through its bylaws, including expectations for member conduct and enforcement mechanisms [1 O.C. 105.10-1(d)]. Current bylaws demonstrate that these standards are in place and applied in practice. Pending amendments strengthen this framework by establishing baseline ethical standards at the law level. They preserve the requirement for entity-specific standards through bylaws, creating a consistent and flexible governance structure.
 - **Conflict of Interest law.** The purpose of the Conflict of Interest law is for the Nation to ensure that all employees, contractors, elected officials, officers, political appointees, appointed and elected members and all others who may have access to information or materials that are confidential or may be used by competitors of the Nation's enterprises or interests be subject to specific limitations to which such information and materials may be used in order to protect the interests of the Nation. [2 O.C. 217.1-1]. Its underlying policy is to assert its proprietary rights to client lists, trade secrets and any other confidential data generated, developed or commissioned for the Nation in the course of an employee's duties and responsibilities and that all employees, and prospective employees, be made aware of their obligation to uphold such rights. The Nation asserts that no persons who work for the Nation or are responsible for safeguarding its interests nor their relatives, associates, partners, or anyone connected with such persons should in any way benefit against or in competition with the Nation's interests without full and complete prior disclosure to the Nation. [2 O.C. 217.1-2].
 - Under the proposed amendments conflict of interest requirements for Oneida Business Committee members are addressed within the Code of Ethics. Conflict of interest requirements for boards, committees, and commissions are addressed through the Boards,

Committees, and Commissions Law and entity bylaws. Conflict of interest requirements for employees are governed through the Conflict of Interest law and Personnel Policies. This structure provides continued application of conflict standards across all individuals serving the Nation

- **Removal Law.** The purpose of the Removal law is to govern the removal of persons elected to serve on boards, committees and commissions of the Oneida Tribe of Indians of Wisconsin. [1 O.C. 104.1-1]. It is the policy of the Oneida Tribe of Indians of Wisconsin to provide an orderly and fair process for the removal of persons elected to serve on boards, committees and commissions. [1 O.C. 104.1-2].
 - Under the proposed amendments to the Code of Ethics the Oneida Business Committee remains subject to the Removal law. [1 O.C. 103.5].
- **Personnel Policies and Procedures.** The Personnel Policies provide detailed standards governing employee conduct, including expectations for work performance and accountability, requirements for confidentiality and the proper use of Nation information and resources, and prohibitions on misconduct such as fraud, dishonesty, harassment, and misuse of property. These standards are reflected in provisions governing employee discipline and performance expectations, including rules addressing work performance, use of property, personal conduct, and prohibited behaviors [Section V – Employee Relations, Disciplinary Actions], as well as requirements for maintaining the confidentiality of employee records and information [Section IX – Privacy and Confidentiality of Employee Records]. The policies further establish workplace behavior expectations such as professionalism, safety, and respectful conduct in interactions with co-workers and the public [Section V – Employee Relations].

In addition, the Personnel Policies establish formal enforcement mechanisms governing the application of these standards. These mechanisms include supervisor-led investigations and corrective action, progressive discipline up to and including termination, and documented disciplinary procedures [Section V.D – Complaints, Disciplinary Actions, and Grievances]. The policies also provide due process protections through structured complaint and grievance procedures, including multi-level review by management and the Personnel Commission [Section V.D – Grievance Procedures].

 - These policies operate as the primary system governing employee ethical conduct, providing clearly defined standards, consistent application, and enforcement through established employment processes.
- **Whistleblower Protection Law.** The Whistleblower Protection Law is intended to protect the Nation from fraud, theft, and other detrimental conduct by providing protections to employees who report wrongdoing [2 O.C. 211.1-1; 211.1-2]. This law establishes:
 - A mechanism for employees to disclose misconduct, including fraud, theft, misuse of funds, unethical conduct, and violations of Nation law or policy [2 O.C. 211.4-1].
 - Protection from retaliation for individuals who make such disclosures [2 O.C. 211.4-2].
 - Investigation authority through Internal Audit and referral to appropriate enforcement bodies, including management, law enforcement, or governing entities [2 O.C. 211.4-5].
 - Disciplinary consequences for individuals found to have engaged in retaliation or underlying misconduct, including termination, sanctions, or removal from office [2 O.C. 211.5-3].

The Whistleblower Law applies broadly to employees and officials and serves as a cross-cutting accountability mechanism, reinforcing ethical standards by ensuring that misconduct can be reported, investigated, and addressed without fear of retaliation.

SECTION 7. ENFORCEMENT AND ACCOUNTABILITY

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

SECTION 8. OTHER CONSIDERATIONS

Pending Amendments. The Boards, Committees, and Commissions Law and the Conflict of Interest law are undergoing amendments to further clarify and strengthen ethical requirements for both BCC members and Nation employees. While existing laws and policies already provide comprehensive ethical coverage, these parallel efforts reinforce accountability, provide consistency across governance systems, and enhance transparency for the Nation.

- *Conclusion.* The proposed amendments reflect an alignment of law with established governance practices and ongoing legislative development, rather than a reduction in ethical expectations or accountability.

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

- *Conclusion.* The Legislative Operating Committee received a fiscal impact statement from the Finance Administration on August 5, 2026.

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Title 1. Government and Finances - Chapter 103

~~CODE OF ETHICS~~

~~Λtwaliwāseh~~

matters that will be followed

CODE OF ETHICS

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103.1. Purpose and Policy

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

103.2. Definitions

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

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

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

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

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

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

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

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

103.3. Government

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

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

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

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

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

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

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

- ~~(1) influence of family, social or other personal relationships influencing conduct~~
- ~~(2) using prestige of the office to advance private interests of others~~
- ~~(3) conveying use of special influence or being specially influenced.~~

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

- ~~(1) adhere to the laws, customs, and traditions of the Tribe~~
- ~~(2) be patient, dignified and courteous to constituents, co-officials, and others with whom the official deals in an official capacity, and should require similar conduct of others in official proceedings and those personnel subject to the official's discretion and control.~~
- ~~(3) give to every person who is interested in an action time to be heard~~
- ~~(4) not comment to non-tribal members on any proceeding, session, or action unless directed to do so by an official action of the Oneida General Tribal Council, Oneida Business Committee, or their delegates.~~

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

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

- ~~(a) prohibiting staff from making statements on behalf of the Tribe or agency of the Tribe without permission~~
- ~~(b) require staff to observe high standards of honesty and diligence~~
- ~~(c) initiate appropriate disciplinary measures against professional staff for unprofessional conduct which the official may become aware of.~~

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

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

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

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~~103.3 6. A government official shall regulate their extra governmental activities to minimize the risk of conflict with duties of their office.~~

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

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

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

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

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

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

103.4. Program

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

~~103.5. Enterprise~~

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

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

103.2. Adoption, Amendment, Repeal

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

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

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

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

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

103.3. Definitions

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

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

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

103.4. Standards of Conduct

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

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

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

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

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

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

(c) *Disclosure Forms.*

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

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

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

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

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

(b) Speculate or wager;

(c) Harm another's reputation;

(d) Advance personal or political interests; or

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

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

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

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

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

(a) *Duty to be Accountable:* Oneida Business Committee members shall be answerable to the Oneida people for their decisions, conduct, and use of authority; explain their actions, accept responsibility for mistakes, and take corrective steps when necessary. Accountability is not only a legal obligation, it is a cultural duty rooted in respect for the people and the teachings of the Good Mind (see Section 103.1-2).

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

- (1) Conduct public business in a manner that is open, honest, and accessible to the community;
- (2) Provide timely and accurate information about decisions, policies, and the use of Nation resources; and
- (3) Ensure that records, reports, and proceedings are maintained and made available in accordance with the laws and customs of the Nation.

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

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

(a) *Commitment to Fairness.* Leadership shall be guided by fairness, respect, and the Good Mind (see Section 103.1-2). Favoring family members in employment, appointments, or decision-making undermines the trust of the people and disrupts the balance that is essential to good governance.

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

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

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

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

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

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

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

103.4-9. *Gifts and Honorarium.*

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

(b) *Reporting Requirements.* Oneida Business Committee members shall report any gift, honorarium, or sponsored event with a fair market value of five hundred dollars (\$500) or more that is given in connection with activities organized by or participated in on behalf of the Nation. Such disclosures shall be made using the OBC Gift Disclosure Form and submitted for inclusion on an OBC meeting agenda. The disclosure shall be presented for Oneida Business Committee acceptance, and the member shall refrain from participating in any related discussions or decision-making, when appropriate, to uphold the integrity of governance.

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

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

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

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

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

(d) Gifts below the Reporting Threshold. Gifts or honoraria valued at four hundred ninety-nine dollars and ninety-nine cents (\$499.99) or less are not required to be reported on the Gift Disclosure Form.

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

103.4-10. Prohibited Conduct. Oneida Business Committee members are expected to walk with the Good Mind (see Section 103.1-2), honoring the trust of the people and the teachings of the Great Law of Peace. The following conduct is prohibited as it undermines the integrity of governance, the dignity of the Nation, and the responsibilities entrusted to those who serve. No Oneida Business Committee member shall:

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

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

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

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

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

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

(g) Accept gifts, gratuities, or honoraria in violation of Section 103.4-9.

(h) Participate in decisions where a conflict of interest exists, as defined in Section 103.4-2.

(j) Engage in nepotism or favoritism in hiring, supervision, or contracting, as prohibited in Section 103.4-7.

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

103.4-11. Cultural Accountability. Oneida Business Committee members are reminded that their conduct reflects not only on themselves but on the Nation as a whole. They are expected to uphold the teachings of the Good Mind (see Section 103.1-2), protect the well-being of the community, and serve with humility, honor, and respect.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

~~(5) Enterprise employees should:~~

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

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

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

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

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

~~103.6. Enforcement.~~

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

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

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

~~103.7. Gifts and Gratuities~~

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

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

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

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

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

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

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

End.

Adopted - Oneida Business Committee minutes, 10-21-91

Adopted - BC-11-23-94-A

Emergency Amendment - BC-04-12-06-JJ

Amended - BC-09-27-06-E (adoption of emergency amendment)

Amended – BC- - - -

Final Draft (Clean)
2026 08 05

Title 1. Government and Finances - Chapter 103

Atwaliwáseh

matters that will be followed

CODE OF ETHICS

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

103.1. Purpose and Policy

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

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

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

103.2. Adoption, Amendment, Repeal

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

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

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

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

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

103.3. Definitions

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

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

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

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

(d) “Nation” means the Oneida Nation.

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

103.4. Standards of Conduct

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

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

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

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

(d) *Land, Sovereignty, and Cultural Continuity.* Oneida leaders shall protect and strengthen the Nation’s sovereignty, lands, language, and cultural ways—an inheritance preserved

through generations of sacrifice—so that these gifts remain whole and vibrant for future generations.

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

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

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

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

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

(c) *Disclosure Forms.*

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

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

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

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

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

(b) Speculate or wager;

(c) Harm another's reputation;

(d) Advance personal or political interests; or

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

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

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

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

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

(a) *Duty to be Accountable:* Oneida Business Committee members shall be answerable to the Oneida people for their decisions, conduct, and use of authority; explain their actions, accept responsibility for mistakes, and take corrective steps when necessary. Accountability is not only a legal obligation, it is a cultural duty rooted in respect for the people and the teachings of the Good Mind (see Section 103.1-2).

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

- (1) Conduct public business in a manner that is open, honest, and accessible to the community;
- (2) Provide timely and accurate information about decisions, policies, and the use of Nation resources; and
- (3) Ensure that records, reports, and proceedings are maintained and made available in accordance with the laws and customs of the Nation.

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

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

(a) *Commitment to Fairness.* Leadership shall be guided by fairness, respect, and the Good Mind (see Section 103.1-2). Favoring family members in employment, appointments, or decision-making undermines the trust of the people and disrupts the balance that is essential to good governance.

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

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

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

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

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

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

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

103.4-9. *Gifts and Honorarium.*

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

(b) *Reporting Requirements.* Oneida Business Committee members shall report any gift, honorarium, or sponsored event with a fair market value of five hundred dollars (\$500) or more that is given in connection with activities organized by or participated in on behalf of the Nation. Such disclosures shall be made using the OBC Gift Disclosure Form and submitted for inclusion on an OBC meeting agenda. The disclosure shall be presented for Oneida Business Committee acceptance, and the member shall refrain from participating in any related discussions or decision-making, when appropriate, to uphold the integrity of governance.

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

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

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

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

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

(d) *Gifts below the Reporting Threshold.* Gifts or honoraria valued at four hundred ninety-nine dollars and ninety-nine cents (\$499.99) or less are not required to be reported on the Gift Disclosure Form.

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

103.4-10. *Prohibited Conduct.* Oneida Business Committee members are expected to walk with the Good Mind (see Section 103.1-2), honoring the trust of the people and the teachings of the Great Law of Peace. The following conduct is prohibited as it undermines the integrity of governance, the dignity of the Nation, and the responsibilities entrusted to those who serve. No Oneida Business Committee member shall:

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

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

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

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

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

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

(g) Accept gifts, gratuities, or honoraria in violation of Section 103.4-9.

(h) Participate in decisions where a conflict of interest exists, as defined in Section 103.4-2.

(j) Engage in nepotism or favoritism in hiring, supervision, or contracting, as prohibited in Section 103.4-7.

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

103.4-11. *Cultural Accountability.* Oneida Business Committee members are reminded that their conduct reflects not only on themselves but on the Nation as a whole. They are expected to uphold the teachings of the Good Mind (see Section 103.1-2), protect the well-being of the community, and serve with humility, honor, and respect.

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

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

(b) *Engagement and Respectful Dialogue*. Meetings shall be conducted in a manner the upholds the Good Mind (see Section 103.1-2) and fosters constructive dialogue. Oneida Business Committee members shall:

(1) Participate actively and thoughtfully, contributing to deliberations with clarity and respect.

(2) Listen attentively to others, avoid interruptions, and ensure that all voices are heard.

(3) Refrain from conduct that disrupts proceedings or diminishes the dignity of the office.

(c) *Professionalism and Integrity in Deliberation*. Decisions shall be made based on merits, facts, and the collective good of the Nation. Oneida Business Committee members shall:

(1) Avoid side conversations, electronic distractions, or any behavior that signals disengagement.

(2) Maintain confidentiality of closed-session discussions and sensitive information.

(3) Conduct themselves in a manner that reflects honor, impartiality, and accountability.

(d) *Responsibility for Governance Continuity*. Attendance and participation are essential to the functioning of the Nation's government. Persistent failure to meet these expectations may constitute a breach of sacred trust.

103.5. Enforcement. Enforcement of this law shall be conducted in accordance with all applicable laws and regulations of the Nation.

End.

Adopted - Oneida Business Committee minutes, 10-21-91

Adopted - BC-11-23-94-A

Emergency Amendment - BC-04-12-06-JJ

Amended - BC-09-27-06-E (adoption of emergency amendment)

Amended - BC- - - -



Legislative Operating Committee Fiscal Year 2026 Third Quarter Report April 2026 – June 2026

Legislative Operating Committee Strategic Directions

The Legislative Operating Committee completed strategic planning and set forth the following strategic directions to provide clarity and direction on the Legislative Operating Committee's legislative efforts during the 2023-2026 legislative term:

- Improving relationships through communication;
- Improving internal processes and strategy;
- Educating and engaging stakeholders, including youth; and
- Implementing efficient use of technology.

Legislative Operating Committee Action on Legislative Requests

During the FY26 Third Quarter the Legislative Operating Committee added three (3) legislative items to its Active Files List. The Legislative Operating Committee denied one (1) legislative item during the FY26 Third Quarter.

On April 15, 2026, the Legislative Operating Committee denied the request to add the Election law/Removal law/Code of Ethics/Open Records and Open Meetings Emergency amendments to the Active Files List.

On May 6, 2026, the Legislative Operating Committee added the Minor's Trust General Welfare Assistance Law to the Active Files List.

On June 3, 2026, the Legislative Operating Committee added the Petition: G. Powless-Buenrostro - Amend the Judiciary Law #2026-01 to the Active Files List.

On June 17, 2026, the Legislative Operating Committee added the Whistleblower Protection law to the Active Files List.

FY26 Third Quarter Legislative Accomplishments

During the FY26 Third Quarter the Legislative Operating Committee brought forward the following legislative items for amendment or adoption:

Budget and Finances Law Amendments

On April 22, 2026, the Oneida Business Committee adopted amendments to the Budget and Finances law through the adoption of resolution BC-04-22-26-A. The purpose of the Budget and Finances law is to set forth the requirements to be followed by the Oneida Business Committee and the Oneida fund units when preparing the budget to be presented to the General Tribal Council for approval, and to establish financial policies and procedures for the Nation. *[1 O.C. 121.1-1]*. Amendments to the Budget and Finances law:

- Amend the definitions for capital expenditures, capital improvements, and enterprise. *[1 O.C.121.3-1]*;
- Remove the requirement that the Oneida Business Committee develop priorities, a strategic plan, or broad goals to assist in guiding the budget. *[1 O.C.121.4-1]*;
- Remove the requirement that the Chief Financial Officer ensure the Nation's budget is properly implemented, and instead require that the Chief Financial Officer report to the Oneida Business Committee and/or Executive Managers any expenditures that do not follow budget guidelines or conform to the budget. *[1 O.C.121.4-3(a)]*;
- Require that the Chief Financial Officer assist with the submission and presentation of the Treasurer's report to the Oneida Business Committee, which shall specifically include any monthly variances that are one hundred thousand dollars (\$100,000) or more in total instead of a difference of three percent (3%) or more from the adopted annual budget or fifty thousand dollars (\$50,000) or more in total. *[1 O.C.121.4-3(c)]*;
- Require the Chief Financial Officer to inform the Oneida Business Committee of any Executive Managers and/or fund unit which does not follow the budget development process guidelines or deadlines as set forth by the Treasurer. *[1 O.C.121.4-3(f)]*;
- Require managers to report to the CFO and their relevant Executive Manager explanations and corrective actions for any monthly variance that is one hundred thousand dollars (\$100,000) or more in total instead of a difference of three percent (3%) or more from the adopted annual budget or fifty thousand dollars (\$50,000) or more in total. *[1 O.C.121.4-4(b)]*;
- Eliminate that the contents of the budget include a description of each line item within each fund unit's budget, the estimated expenditures by each fund unit, and a summary of employment position counts including prior year, current year, and budgeted year. *[1 O.C.121.5-2]*;
- Rename the Permanent Executive Contingency Fund Account the Financial Sovereignty Fund. *[1 O.C.121.5-3(b)]*;
- Eliminate the Grant Reserve Fund Account, instead including sustaining grant operations in the purpose of the Financial Sovereignty Fund. *[1 O.C.121.5-3(b)-(c)]*;
- Require that the Treasurer submit the budget guidelines to the Oneida Business Committee for review and approval through the adoption of a resolution no later than March 1st of each calendar year. *[1 O.C.121.5-4(a)]*;
- Provide that it is the Chief Financial Officer, and not the Treasurer, that is responsible for receiving, reviewing, and compiling the proposed budgets from all the fund units into the Nation's draft budget. *[1 O.C.121.5-4(b)]*;

- Eliminate the section of the law that addressed fees and charges. *[previously 1 O.C. 121.6-3];*
- Add a threshold of two hundred and fifty thousand dollars (\$250,000) or more for when a fund unit has to seek approval by the Oneida Business Committee, and a fiscal analysis by the Chief Financial Officer for any unbudgeted expenditure. *[1 O.C. 121.6-3];*
- Clarify that for unexpended capital improvement funds they do not carry over to the next fiscal year budget, but instead carry over at the end of each fiscal year and remain available for use. *[1 O.C. 121.6-5];*
- Eliminate the section on unexpended capital expenditure funds. *[previously 1 O.C. 121.6-4(b)];*
- Eliminate the provisions of the Law governing capital improvements. *[previously 1 O.C. 121.6-9];*
- Eliminate provisions of the Law governing how grant fund can be utilized, exhaustion of non-tribal funds, grant reporting, and the Grant Reserve Fund Account. *[previously 1 O.C. 121.7-1(b)-121.7-4];*
- Require that prior to the acquisition of any debt, the Nation shall obtain an amortization schedule for the repayment of the debt. *[1 O.C. 121.8-2(b)];*
- Eliminate the provisions which provides that employment positions that are fully funded through grants shall not be included in the employment cap. *[previously 1 O.C. 121.9-1(a)];*
- Allow the budget contingency plan to respond to or prepare for potential extreme financial distress. *[1 O.C. 121.10-1];*
- Clarify that when the Chief Financial Officer, not the Oneida Business Committee, determines that the Nation is under extreme financial distress, or may face extreme financial distress in the near future, the CFO shall inform the Oneida Business Committee, and the Oneida Business Committee shall be responsible for implementing the budget contingency plan. *[1 O.C. 121.10-3];* and
- Make other minor drafting changes.

The amendments to the Budget and Finances law went into effect on May 6, 2026.

Real Property Law Amendments

On April 22, 2026, the Oneida Business Committee adopted amendments to the Real Property law through the adoption of resolution BC-04-22-26-B. The purpose of the Real Property law is to provide regulations and procedures for the transfer, control and management of all Tribal land; and to integrate these regulations and procedures with the real property laws and practices of other federal and state sovereigns which may hold concurrent jurisdiction. *[6 O.C. 601.1-1].* Amendments to the Real Property Law:

- Uphold the Nation's prohibition on the sale of Tribal land, while establishing one new, narrowly tailored exemption for certain off-Reservation transactions as follows: *[6 O.C. 601.4-2].*

- Sale of land located off the Reservation provided the transaction is approved by formal resolution of the Oneida Business Committee. *[6 O.C. 601.4-4(b)]*.
- Remove the definitions for terms related to probate that are not applicable under the proposed amendments. Specifically eliminate the following definitions: Broker *[6 O.C. 601.3-1(a)]*, Estate *[6 O.C. 601.3-1(e)]*, Fiduciary *[6 O.C. 601.3-1(f)]*, Guardian ad litem *[6 O.C. 601.3-1(g)]*, Personal representative *[6 O.C. 601.3-1(o)]*, and Probate *[6 O.C. 601.3-1(p)]*.
- Add or modify definitions for the following terms: Deed *[6 O.C. 601.3-1(c)]*, Easement *[6 O.C. 601.3-1(d)]*, Individual trust land *[6 O.C. 601.3-1(f)]*, Land Management *[6 O.C. 601.3-1(i)]*, Land use license *[6 O.C. 601.3-1(j)]*, Restricted fee status *[6 O.C. 601.3-1(o)]*, Rule *[6 O.C. 601.3-1(p)]*, Senior management *[6 O.C. 601.3-1(q)]*, Title status report *[6 O.C. 601.3-1(s)]*, and Title report *[6 O.C. 601.3-1(t)]*.
- Clarify that the Nation's exercise of eminent domain is limited to a right of last resort. *[6 O.C. 601.8-3(a)(3)]*.
- Provide that any party contesting the Nation's authority to exercise eminent domain, or disputing the adequacy of consideration offered, may challenge the acquisition by filing a civil complaint with the Oneida Nation Trial Court. *[6 O.C. 601.8-3(a)(3)]*.
- Reinstate trespass provisions previously contained in the Public Use of Tribal Land law. *[6 O.C. 601.8-10]*.
- Add enforcement provisions similar to those contained in the Public Use of Tribal Land law. *[6 O.C. 601.13]*.
- Authorize officers of the Oneida Police Department or designated wardens to take any action necessary to prevent, mitigate, or remove violations of this Law, require proof of eligibility to access Tribal land, issue citations, and enforce any order not complied with at the expense of the owner. *[6 O.C. 601.13]*.
- Provide that an individual who violates this law may be issued a citation; a citation may include fines, other penalties, and conditional orders as determined by the Trial Court. *[6 O.C. 601.13-2(a)]*.
- Specify that the Oneida Nation Register of Deeds shall provide public access to land records and title documents, subject to applicable fees outlined in the fee schedule established by Land Management and approved by the Land Commission. *[6 O.C. 601.11-3]*.
- Streamline authority and improve operational efficiency within Land Management and the Comprehensive Housing Division by eliminating overlapping responsibilities currently held by the Land Commission. The Land Commission will no longer:
 - Review and adopt Land Management's standard operating procedures for agriculture and commercial leases in accordance with the Leasing law. *[6 O.C. 601.12-2(c)]*.
- Delegate exclusive rulemaking authority to the Comprehensive Housing Division for establishing process requirements such as advertising, notice, prequalification, and selection- applicable to all residential improvements sales by the Nation. *[6 O.C. 601.5-1]*.
- Delegate rulemaking authority to Land Management under the Administrative Rulemaking law to: *[6 O.C. 601.5-3(b)]*.
 - Establish a fine and penalty schedule for violations. *[6 O.C. 601.5-3(a)(1)]*.
 - Create any additional rules necessary to implement or interpret this law; *[6 O.C. 601.5-3(a)(2)]*.

- Ensure all rules are approved by senior management before submission to the Legislative Operating Committee pursuant to the Administrative Rulemaking law. *[6 O.C. 601.5-3(b)(3)]*.
- Designate Land Management as the entity responsible for:
 - Managing the Tribal land portfolio and acting as the caretaker of unassigned lands. *[6 O.C. 601.5-3(g)]*.
 - Entering into and administering agricultural and commercial leases pursuant to the Leasing and Eviction and Termination laws. *[6 O.C. 601.5-3(h)]*.
 - Processing requests for easements and land use licenses. *[6 O.C. 601.5-3(i)]*.
 - Administering internal building and land assignments to Nation entities, as approved by senior management. *[6 O.C. 601.5-3(j)]*.
 - Handling transactions that add real property to the Tribal land base. *[6 O.C. 601.5-3(k)]*.
 - Preparing and maintaining title reports and accurate land records; *[6 O.C. 601.5-3(l)]*.
 - Providing real estate services for individual trust landowners under the self-governance compact, including document submission to the Bureau of Indian Affairs. *[6 O.C. 601.5-3(m)]*.
 - Compiling, and submitting the Nation's fee-to-trust applications in accordance with the priorities set by senior management; *[6 O.C. 601.5-3(n)]*.
 - Determining which Tribal lands require posting and ensuring appropriate signage is installed. *[6 O.C. 601.5-3(o)]*.
- Remove the provisions of the Law regarding probate. *[6 O.C. 601.8]*.
- Establish the legal framework for granting easements in specific circumstances where access to property is restricted. Three types of easements are outlined:
 - Easement by Necessity, which allows landlocked property owners to petition the Oneida Judiciary for access through adjacent land, provided they can prove the parcels were once under common ownership and the landlocked condition resulted from a severance. *[6 O.C. 601.8-3(d)]*.
 - Prescriptive Easement, which permits individuals to seek continued use of land if they've used it openly, adversely, and continuously for twenty (20) years. *[6 O.C. 601.8-3(e)]*.
 - Easement by Written instrument which recognizes property rights acquired through uninterrupted adverse possession over seven years. *[6 O.C. 601.8-3(e)]*.
 - Additionally, it protects Tribal land from unauthorized claims, by prohibiting adverse possession claims against the Nation. *[6 O.C. 601.8-3(f)]*.
- Increase the minimum number of Land Management employees primarily responsible for real estate acquisitions from one (1) to two (2), contingent upon budgetary resources. *[6 O.C. 601.12-1(b)]*.
- Make other minor drafting changes throughout the Law.

The amendments to the Real Property law became effective on April 22, 2026.

Recycling and Solid Waste Disposal Law Amendments

On April 22, 2026, the Oneida Business Committee adopted amendments to the Recycling and Solid Waste Disposal law through the adoption of resolution BC-04-22-26-C. The purpose of the

Recycling and Solid Waste Disposal law is to set forth the process by which the Nation will reduce, manage, and dispose solid waste within the jurisdictional boundaries of the Nation. [4 O.C. 405.1-1]. Amendments to the Recycling and Solid Waste Disposal law:

- Rename the law from “Recycling and Solid Waste Disposal” to “Solid Waste Disposal.” [4 O.C. 405].
- Remove the separation of “recycling” and “solid waste” and instead redefine solid waste to include recyclable materials. [4 O.C. 405.3-1(v); 4 O.C. 405.6].
- Clarify in the definitions the following terms: “customers,” “e-waste,” “major appliances,” “reservation,” “service provider,” and “sharps.” [4 O.C. 405.1-1(a); (f); (p); (h); (p); (q); (s)].
- Clarify the management of solid waste within the Reservation will be governed by this law, the Nation’s Sustainable Materials Management Plan, and applicable provisions of the Resource Conservation and Recovery Act. [4 O.C. 405.4].
- Clarify that the Nation’s Division of Public Works (“DPW”) and Land, Environmental, Agriculture, and Food (“LEAF”) have the authority to administer certain provisions of this law, including informing the public of certain requirements, determining nuisances, procuring service providers, and making rules for the regulation and administration of this law. [4 O.C. 405.5].
- Clarify there will be a fine and penalty schedule developed by DPW and LEAF and approved by the Oneida Business Committee. [4 O.C. 405.5-1(h)].
- Clarify certain items need to be separated; LEAF, or the service provider may refuse pick up; and there will be a special collection of some items which will be scheduled annually and posted on the Nation’s website. [4 O.C. 405.6.7]; [4 O.C. 405.7]; [405 O.C. 405.10].
- Clarify that deer carcasses and other large animal carcasses are not collectable and may not be place for curbside collection. [4 O.C. 405.7-1(j)].
- Clarify it is prohibited to burn solid waste, dump, throw, or leave solid waste in unauthorized areas, in any way that creates a nuisance, or in any way that violates the Sustainable Materials Management Plan, other provisions of the Recycling and Solid Waste Disposal Law, the Public Peace Law, or any other law of the Nation. [4 O.C. 405.9].
- Various grammatical changes and other minor drafting changes throughout the law.

The amendments to the Recycling and Solid Waste Disposal law became effective on May 13, 2026.

Emergency Adoption of the Probate Law

On April 22, 2026, the Oneida Business Committee adopted the Probate law on an emergency basis through the adoption of resolution BC-04-22-26-E. The emergency adoption of the Probate Law was sought for the immediate preservation of the safety and general welfare of the Reservation population. Recent amendments to the Real Property Law removed all probate provisions and the related delegation of rulemaking authority that Oneida had historically relied upon to administer estates. As a result, the Nation’s clear legal authority and established process for handling probates were effectively eliminated. Historically, probate administration continued through temporary measures, most notably by resolution, which inserted a comprehensive stand-in probate process into the Real Property Law when that law lacked sufficient procedural detail. By fully deleting probate provisions without the simultaneous adoption of a standalone probate law, the amendments created a gap in which Oneida would no longer have an express, workable

legal framework to process probates, determine heirs, resolve disputes, or administer land succession. Emergency adoption of a separate Probate Law is therefore necessary to immediately restore tribal jurisdiction, authority, and an official probate process and to ensure that estates continue to be administered by Oneida rather than defaulting to state or federal systems.

The Probate law re-establishes tribal probate jurisdiction, affirm Oneida's sovereign authority over inheritance, and ensure continuity of an official, enforceable probate process administered within Oneida law and institutions following removal of probate from the Real Property Law. [6 O.C. 613.1-1; 613.1-2; 613.2-4]. The Probate law:

- Affirm tribal sovereignty over inheritance and probate by explicitly characterizing property disposition at death as an exercise of self-governance and prioritizing tribal custom, tradition, and member control over property succession. [6 O.C. 613.1-1; 613.1-2].
- Establishes a single, comprehensive tribal probate system governing how estates of covered decedents are administered, whether the decedent died with or without a will. [6 O.C. 613.1-1(d); 613.3-1].
- Ensures tribal law controls over conflicting tribal documents and enactments, while recognizing that applicable federal law remains supreme where required. [6 O.C. 613.2-4(a)–(b)].
- Applies beyond enrolled members to include spouses, children, persons eligible for enrollment, and deceased persons owning real property within Reservation boundaries. [6 O.C. 613.4-1].
- Asserts tribal jurisdiction over non-trust property of covered decedents located within the Reservation, to the extent that federal law does not confer exclusive U.S. jurisdiction. [6 O.C. 613.5-1].
- Allows tribal members with fee land to opt into state probate law, while requiring tribal probate procedures for trust land held within the Reservation. [6 O.C. 613.6-1(a)–(b)].
- Prohibits inheritance of trust land by non-members and non-U.S. citizens, preventing transfer of trust property outside the tribal community. [6 O.C. 613.6-2].
- Provides mitigation options for ineligible heirs by allowing sale of trust interests to the Nation or eligible heirs at fair market value, or by granting limited life estates to ineligible spouses or minor children. [6 O.C. 613.6-2(a)–(b)].
- Authorizes sale of interests where heirs cannot be located, with proceeds returned to the estate for proper distribution, reducing unresolved or fragmented ownership. [6 O.C. 613.6-3].
- Mandates escheat of property to the Oneida Nation where no valid heirs or devisees exist, directly supporting land consolidation and long-term tribal control. [6 O.C. 613.6-4].
- Exempts culturally significant and low-value personal items from formal probate, allowing family distribution of traditional and ceremonial property outside the probate process. [6 O.C. 613.6-5(a)–(b)].
- Vests primary probate authority in the Land Commission, empowering it to determine heirs, approve or disapprove wills, adjudicate creditor claims, accept renunciations, and decree final distributions. [6 O.C. 613.6-6(a)–(e)].
- Creates a detailed probate procedural framework, including mandatory filings, notice requirements, public posting, and participatory consensus-based hearings for dispute resolution. [6 O.C. 613.6-7; 613.6-10].
- Codifies a specific intestate succession hierarchy, prioritizing spouses and direct

descendants and extending through parents, siblings, grandparents, and more remote relatives before escheat. *[6 O.C. 613.6-9(a)–(f)]*.

- Provides layered review, rehearing, and appeal rights, including administrative rehearings, judicial appeals, and limited reopening of cases for lack of notice or omission of heirs. *[6 O.C. 613.6-11; 613.6-13; 613.6-14]*.

The emergency adoption of the Probate law became effective on April 22, 2026. The Probate law will remain effective until October 22, 2026. There will be one (1) opportunity to extend the emergency adoption of the Probate law for an additional six (6) month period.

Higher Education Grant Law

On April 22, 2026, the Oneida Business Committee adopted the Higher Education Grant law through the adoption of resolution BC-04-22-26-F. The purpose of the Higher Education Grant law is to implement the Higher Education Grant program; and set forth the funding requirements and procedural controls for awarding Higher Education grants. *[10 O.C. 1005.1-1]*. The Higher Education Grant law

- Clearly articulates the Nation’s purpose and policy concerning the Higher Education Grant. *[10 O.C. 1005.1]*.
- Defines key terms used within the law. *[10 O.C. 1005.3-1]*.
- Delegates rulemaking authority to the Higher Education Office to:
 - Clearly describe the documents required to complete the Higher Education Student File. *[10 O.C. 1005.4-2(a)]*.
 - Address how funding periods are calculated. *[10 O.C. 1005.4-2(b)(1)]*.
 - Address funding cap amounts for the following tiers:
 - associate degree, vocational or certificate program. *[10 O.C. 1005.4-2(b)(2)(i)]*.
 - undergraduate degree. *[10 O.C. 1005.4-2(b)(2)(ii)]*.
 - graduate degree. *[10 O.C. 1005.4-2(b)(2)(iii)]*.
 - doctoral degree. *[10 O.C. 1005.4-2(b)(2)(iv)]*.
 - Clearly describe application requirements and process. *[10 O.C. 1005.4-2(c)]*.
 - Clearly describe the appeals process. *[10 O.C. 1005.4-2(d)]*.
 - Additional rules may be promulgated, provided they do not conflict with any provision of this law. *[10 O.C. 1005.4-2(e)]*.
- Clearly describe funding eligibility requirements, as follows: *[10 O.C. 1005.5-1]*.
 - be an enrolled member of the Nation. *[10 O.C. 1005.5-1(a)]*.
 - be enrolled in an accredited postsecondary vocational program, college, or university. *[10 O.C. 1005.5-1(b)]*.
 - complete the Higher Education Student File with the Higher Education Office. *[10 O.C. 1005.5-1(c)]*.
 - comply with FAFSA standards. *[10 O.C. 1005.5-1(d)]*.
 - be pursuing a degree in a higher funding tier than any previously earned degree, unless they have remaining credits available under their current tier pursuant to 1005.5-2. *[10 O.C. 1005.5-1(e)]*.

- meet GPA requirements, as follows:
 - associate degree, vocational or certificate program must maintain a GPA of 2.0. *[10 O.C. 1005.5-1(f)(1)]*.
 - undergraduate students must maintain a GPA of 2.0. *[10 O.C. 1005.5-1(f)(2)]*.
 - graduate students must maintain a GPA of 3.0. *[10 O.C. 1005.5-1(f)(3)]*.
 - doctoral students must maintain a GPA of 3.0; except where: The school's grading policy considers professional doctoral students (MDs and JDs) to be in good academic standing even with a GPA below 3.0. *[10 O.C. 1005.5-1(f)(4)(i)]*.
 - apprenticeship/certificate/license students must maintain academic progress and submit scheduled/monthly progress reports. *[10 O.C. 1005.5-1(f)(5)]*.
- Explicitly state funding duration as determined by the maximum allowable credit allocation per tier, as follows: *[10 O.C. 1005.5-2]*.
 - ninety (90) credits for an associate degree, vocational or certificate program. *[10 O.C. 1005.5-2(a)]*.
 - one hundred fifty (150) credits for an undergraduate degree. *[10 O.C. 1005.5-2(b)]*.
 - sixty (60) credits for a graduate degree. *[10 O.C. 1005.5-2(c)]*.
 - one hundred twenty (120) credits for a doctoral degree. *[10 O.C. 1005.5-2(d)]*.
- Define "probation" and clearly describe when a student may be placed on probation. *[10 O.C. 1005.5-4]*.
- Provide a clear explanation of how the grant award amount is calculated, as follows: *[10 O.C. 1005.6-2]*.
 - The minimum award package shall consist of:
 - Full-time students shall receive funding for tuition, fees, books, and room and board up to the funding cap amount for their program. *[10 O.C. 1005.6-2(b)(1)]*.
 - Part-time students shall receive funding for tuition, fees, and books up to the funding cap amount for their program. *[10 O.C. 1005.6-2(b)(2)]*.
 - Students taking one (1) to five (5) credits shall receive funding for tuition, fees, and books up to the funding cap for their program. *[10 O.C. 1005.6-2(b)(3)]*.
 - If the student's financial need, as determined by the financial needs analysis, exceeds the minimum award package, the student shall receive an award equal to their financial need, up to the maximum allowed by the funding tier cap. *[10 O.C. 1005.6-2(c)]*.
 - A full-time student's award may also cover transportation and personal/miscellaneous expenses. *[10 O.C. 1005.6-2(c)(1)]*.

- A part-time student’s award may also cover room and board, transportation and personal/miscellaneous expenses. *[10 O.C. 1005.6-2(c)(2)]*.
- Clearly describe how the law may be enforced. *[10 O.C. 1005.7]*.
- Clearly describe how a student may appeal a grant decision made by the Higher Education Office. *[10 O.C. 1005.8]*.

The Higher Education Grant law became effective on April 22, 2026.

FY26 Third Quarter Administrative Accomplishments

During the FY26 Third Quarter the Legislative Operating Committee brought forward the following administrative accomplishments:

Certification of Real Property Law Rule No. 2 – Easements Emergency Amendments

On May 6, 2026, the Legislative Operating Committee certified the Real Property Law Rule No. 2 – Easements Emergency Amendments. The Oneida Business Committee then adopted the emergency amendments to the Real Property Law Rule No. 2 – Easements on May 13, 2026.

Certification of Leasing Law Rule No. 2 – Agricultural Leases

On May 13, 2026, the Legislative Operating Committee certified the Leasing Law Rule No. 2 – Agricultural Leases.

Certification of Technology Resources Law Rule No. 1, 2, 3, 4, 8, 9

On June 3, 2026, the Legislative Operating Committee denied the certification of the following rules:

- Technology Resources Law Rule No. 1 – Acceptable Use;
- Technology Resources Law Rule No. 2 – Clear Desk/Screen;
- Technology Resources Law Rule No. 3 – Asset Management;
- Technology Resources Law Rule No. 4 – Security Awareness Training;
- Technology Resources Law Rule No. 8 – Third Party Providers; and
- Technology Resources Law Rule No. 9 – Generative AI Usage.

The Technology Resources Law Rules provided by the Digital Technology Services Department (“DTS”) were not be eligible for certification due to the fact that the certification packets provided by DTS for the Rules did not contain all documentation required by the Administrative Rulemaking law for a complete administrative record, and the promulgation of the Rules did not comply with all procedural requirements contained in the Administrative Rulemaking law.

FY26 Third Quarter Community Outreach Efforts

Focusing on its efforts to enhance community involvement through outreach and communication, during the FY26 Third Quarter the Legislative Operating Committee held one (1) community outreach event.

On June 29, 2026, from 5:30 p.m. through 7:30 p.m. the Legislative Operating Committee held a community meeting in the Norbert Hill Center's cafeteria. Topics discussed during the community meeting included 2023-2026 Legislative Term Accomplishments, Issues for Consideration for 2026-2029 Legislative Term, and Holding Community Meetings. The purpose of this community meeting was to provide an opportunity for open discussion in which people could share comments, questions, or suggestions on potential issues that should be addressed regarding the topics discussed.

The Legislative Operating Committee intends to hold community outreach events on a quarterly basis and encourages everyone to attend and participate in future community outreach events.

FY26 Third Quarter Legislative Highlights

The Legislative Operating Committee would like to highlight its work on the following legislative items during the FY26 Third Quarter:

Boards, Committees, and Commissions Law Amendments

This item is sponsored by Kirby Metoxen. The Legislative Operating Committee held zero (0) work meetings during the FY26 Third Quarter regarding this legislative matter. On April 15, 2026, the Legislative Operating Committee approved the updated draft and the legislative analysis. On May 6, 2026, the Legislative Operating Committee approved the public meeting packet and scheduled a public meeting to be held on June 11, 2026. The public meeting was then held on June 11, 2026, with three (3) individuals providing oral comments. The public comment period was then held open until June 18, 2026, with no individuals providing written comments.

Code of Ethics Amendments

This item is sponsored by Jennifer Webster. The Legislative Operating Committee held one (1) work meeting during the FY26 Third Quarter regarding this legislative matter. A public meeting for the Code of Ethics law amendments was held on May 14, 2026, with no individuals providing oral comments during the public meeting. The public comment period was then held open until May 21, 2026, with one (1) individual providing written comments. On June 17, 2026, the Legislative Operating Committee accepted the public comments and the public comment review memorandum for the proposed amendments to the Code of Ethics and deferred these items to a work meeting for further consideration.

Conflict of Interest Law Amendments

This item is sponsored by Jonas Hill. The Legislative Operating Committee held one (1) work meeting during the FY26 Third Quarter regarding this legislative matter.

Elder Protection Law

This item is sponsored by Jennifer Webster. The Legislative Operating Committee held one (1) work meeting during the FY26 Third Quarter regarding this legislative matter. On April 16, 2026, the a public meeting on the proposed Elder Protection law was held with four (4) individuals providing oral comments. The public comment period was then held open until April 23, 2026, with three (3) individuals providing written comments. On May 6, 2026, the Legislative Operating Committee accepted the public comments and the public comment review memorandum and deferred this item to a work meeting for further consideration. On May 20, 2026, the Legislative Operating Committee approved the public comment review memorandum with LOC consideration, the updated legislative analysis, and final draft of the Elder Protection law; and approved the fiscal impact statement request memorandum and directed the Finance Department to provide the LOC with a fiscal impact statement of the proposed Elder Protection law by June 5, 2026. On June 17, 2026, the Legislative Operating Committee approved the adoption packet for the Elder Protection law and forward to the Oneida Business Committee for consideration.

Eviction and Termination Law Amendments

This item is sponsored by Jonas Hill. The Legislative Operating Committee held one (1) work meeting during the FY26 Third Quarter regarding this legislative matter. On April 16, 2026, the a public meeting on the proposed Eviction and Termination law amendments was held with four (4) individuals providing oral comments. The public comment period was then held open until April 23, 2026, with no individuals providing written comments. On May 6, 2026, the Legislative Operating Committee accepted the public comments and the public comment review memorandum and deferred this item to a work meeting for further consideration. On May 20, 2026, the Legislative Operating Committee approved the updated public comment review memorandum, legislative analysis, and draft; and approved the fiscal impact statement request memorandum with revision to the due date and directed that the Finance Administration provide the LOC a fiscal impact statement for the proposed Eviction and Termination law amendments by June 19, 2026. The Finance Administration provided the Legislative Operating Committee a fiscal impact statement on June 16, 2026.

Indian Preference in Contracting Law Amendments

This item is sponsored by Jonas Hill. The Legislative Operating Committee held one (1) work meeting during the FY26 Third Quarter regarding this legislative matter

Pardon and Forgiveness Law Amendments

This item is sponsored by Jonas Hill. On June 3, 2026, the Legislative Operating Committee approved the public comment review memorandum, updated legislative analysis, and final draft of the proposed amendments to the Pardon and Forgiveness law; and approved the fiscal impact statement request memorandum and directed the Finance Department to provide the LOC with a fiscal impact statement of the proposed Pardon and Forgiveness law by June 25, 2026.

Safe Neighborhoods Law

This item is sponsored by Jameson Wilson. The Legislative Operating Committee held one (1) work meeting during the FY26 Third Quarter regarding this legislative matter.

Sanctions and Penalties Law

This item is sponsored by Jennifer Webster. The Legislative Operating Committee held one (1) work meeting during the FY26 Third Quarter regarding this legislative matter. On April 15, 2026, the Legislative Operating Committee approved the updated adoption packet with the addition of the LOC Chairman signature for the proposed Sanctions and Penalties law and forward to the Oneida Business Committee for inclusion on an upcoming General Tribal Council meeting agenda for consideration. On April 16, 2026, the Legislative Operating Committee conducted an e-poll titled, Approval of the Updated Sanctions and Penalties Law Adoption Packet. The requested action of this e-poll was to approve the updated Sanctions and Penalties law adoption packet and forward to the Oneida Business Committee to be included on an upcoming General Tribal Council meeting agenda for consideration. Jameson Wilson, Jennifer Webster, and Jonas Hill. Kirby Metoxen and Marlon Skenandore did not provide a response. On April 22, 2026, the Oneida Business Committee approved the Sanctions and Penalties law adoption packet and forwarded the materials to General Tribal Council for consideration. On May 6, 2026, the Legislative Operating Committee entered into the record the results of the April 16, 2026, e-poll entitled, Approval of the Updated Sanctions and Penalties Law Adoption Packet.

Ten Day Notice Policy Amendments

This item is sponsored by Jennifer Webster and Jameson Wilson. The Legislative Operating Committee held one (1) work meeting during the FY26 Third Quarter regarding this legislative matter. On May 6, 2026, the Legislative Operating Committee approved the draft, legislative analysis, and public meeting packet, and scheduled a public meeting for the proposed amendments to the Ten Day Notice Policy to be held on June 11, 2026. The public meeting was held on June 11, 2026, with no individuals providing public comments. The public comment period was then held open until June 18, 2026, with no individuals providing written comments.

Tribal Sovereignty in Data Research Law

This item is sponsored by Jennifer Webster. The Legislative Operating Committee held one (1) work meeting during the FY26 Third Quarter regarding this legislative matter.

Uniform Commercial Code

This item is sponsored by Jameson Wilson. The Legislative Operating Committee held zero (0) work meetings during the FY26 Third Quarter regarding this legislative matter. On April 16, 2026, a public meeting for the proposed Uniform Commercial Code was held with no individuals providing oral comments. The public comment period was then held open until April 23, 2026, with no individuals providing written comments. On May 20, 2026, the Legislative Operating Committee approved the public comment review memorandum, updated legislative analysis, and final draft of the Uniform Commercial Code, and approved the fiscal impact statement request

memorandum and directed the Finance Department to provide the LOC with a fiscal impact statement of the proposed Uniform Commercial Code by June 19, 2026.

Vendor Licensing Law Amendments

This item is sponsored by Jonas Hill. The Legislative Operating Committee held two (2) work meetings during the FY26 Third Quarter regarding this legislative matter. On June 17, 2026, the Legislative Operating Committee approved the draft, legislative analysis, and public meeting packet, and directed a public meeting to be held on August 13, 2026.

FY26 Third Quarter Legislative Operating Committee Meetings

All Legislative Operating Committee meetings are open to the public and held on the first and third Wednesday of each month, at 9:00 a.m. in the Norbert Hill Center's Business Committee Conference Room and on Microsoft Teams.

The Legislative Operating Committee held the following meetings during the FY26 Third Quarter:

- April 15, 2026 – Regular meeting;
- May 6, 2026 – Regular meeting;
- May 20, 2026 – Regular meeting;
- June 3, 2026 – Regular meeting; and
- June 17, 2026 – Regular meeting.

In addition to attending the Legislative Operating Committee meetings in person, individuals provided the opportunity to attend the Legislative Operating Committee meeting through Microsoft Teams. Anyone who would like to access the Legislative Operating Committee meeting through Microsoft Teams can provide their name, phone number or e-mail address to LOC@oneidanation.org by the close of business the day before a meeting of the Legislative Operating Committee to receive the link to the Microsoft Teams meeting.

For those who may be unable to attend the Legislative Operating Committee meeting either in person or on Microsoft Teams, an audio recording of the Legislative Operating Committee meeting is made available on the Nation's website after the meeting concludes.

Goals for FY26 Third Quarter

During the FY26 Fourth Quarter the Legislative Operating Committee will focus its legislative efforts on the following matters:

- Adoption of the Elder Protection law;
- Adoption of the Amendments to the Eviction and Termination law;
- Adoption of the Amendments to the Boards, Committees, and Commissions law;
- Adoption of the Amendments to the Code of Ethics;
- Adoption of the Pardon and Forgiveness Law Amendments; and

- Preparation for Transition into the 2026–2029 Legislative Term.

Legislative Reference Office

The Legislative Reference Office’s mission is to provide support for the Legislative Operating Committee in developing clear and consistent legislation that reflects the Nation’s values, builds upon the Nation’s strong foundation, and reaffirms our inherent sovereignty.

In addition to the assisting the Legislative Operating Committee with the development of legislation, the Legislative Reference Office also:

- Drafts statements of effect for Oneida Business Committee and General Tribal Council resolutions;
- Drafts statements of effect for General Tribal Council petitions;
- Drafts and provides other assistance to various department and entities of the Nation with administrative rulemaking; and
- Manages all other administrative duties and recordkeeping for the Legislative Operating Committee.

During the FY26 Third Quarter the Legislative Reference Office was staffed by the following individuals:

- Clorissa N. Leeman, Senior Legislative Staff Attorney.
 - Contact: cleeman@oneidanation.org
- Carolyn Salutz, Legislative Staff Attorney.
 - Contact: csalutz@oneidanation.org
- Grace Elliott, Legislative Staff Attorney.
 - Contact: gelliott@oneidanation.org

Legislative Operating Committee Contact Information

Feel free to contact the LOC at LOC@oneidanation.org with any questions or comments, or individual LOC members at the following:

- Jameson Wilson, LOC Chairman
jwilson@oneidanation.org
- Kirby Metoxen, LOC Vice-Chairman
kmtox@oneidanation.org
- Jonas Hill, LOC Member
jhill1@oneidanation.org
- Jennifer Webster, LOC Member
jwebste1@oneidanation.org





Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Jul 26	27	28	29	30 1:30 PM Research Law Dev	31 10:30 AM Draft Probate La	Aug 1
2	3	4	5 8:30 AM LOC Prep Meet 9 AM Legislative Operat	6	7 10 AM Oneida Worker's Co	8
9	10	11	12	13 12:15 PM PUBLIC MEETING	14	15
16	17	18	19 8:30 AM LOC Prep 9 AM Legislative Operat	20	21	22
23	24	25	26	27	28	29
30	31	Sep 1	2	3	4	5