

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

105.1. Purpose and Policy
105.2. Adoption, Amendment, Repeal
105.3. Definitions
105.4. Creation of an Entity
105.5. Applications
105.6. Vacancies
105.7. Appointment to an Entity
105.8. Election to an Entity
105.9. Oath of Office

105.10. Other Responsibilities
105.11. Bylaws
105.12. Electronic Polling
105.13. Reporting Requirements
105.14. Stipends, Reimbursement, and Compensation
105.15. Official Oneida Nation Email Address
105.16. Standards of Conduct
105.17. Use of the Nation's Assets
105.18. Dissolution of an Entity
105.19. Enforcement

105.1. Purpose and Policy

105.1-1. *Purpose.* It is the purpose of this law to govern boards, committees, and commissions of the Nation, including the procedures regarding the appointment and election of individuals to boards, committees, and commissions, creation of bylaws, maintenance of official records, compensation, to establish clear standards of conduct, and other items related to boards, committees, and commissions.

(a) This law shall not apply to the Oneida Business Committee or standing committees of the Oneida Business Committee.

(b) This law does not apply to Tribal corporations due to the corporate structure and autonomy of those entities.

105.1-2. *Policy.* It is the policy of the Nation to have consistent and standard procedures for choosing and appointing or electing the most qualified individuals to boards, committees, and commissions, for creation of bylaws governing boards, committees, and commissions, and for the maintenance of information created by, and for, boards, committees, and commissions.

(a) It is further the policy of the Nation that appointed and elected individuals serving on a board, committee, or commission of the Nation carry themselves in a way that brings honor to the Oneida people and government. They shall walk with integrity, follow the laws of the Nation, and uphold the highest standards of ethical conduct in all their duties. All appointed and elected individuals shall strive to exhibit and uphold the Nation's core values of The Good Mind as expressed by Onayote'a·ka, which includes:

- (1) Kahletsyalúsla. The heartfelt encouragement of the best in each of us.
- (2) Kanolukhwásla. Compassion, caring, identity, and joy of being.
- (3) Ka'nikuhli·yó. The openness of the good spirit and mind.
- (4) Ka'tshatstásla. The strength of belief and vision as a People.
- (5) Kalihwi·yó. The use of the good words about ourselves, our Nation, and our future.
- (6) Twahwahtsílaway. All of us are family.
- (7) Yukwatsístay. 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-08-12-26-D.

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 office or personnel assigned to assist Boards, Committees, and Commissions.

(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)

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Emergency Amended – BC-03-17-20-C

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