

Oneida Nation

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Oneida, WI 54155

BC Resolution # 04-26-17-C Conflict of Interest Emergency Amendments

- 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 Conflict of Interest Policy (the "Policy") was adopted by the Oneida Business Committee by Resolution BC-06-10-98-C; and
- WHEREAS,** an audit completed by the United States Department of Housing and Urban Development (HUD) was received by the Oneida Nation on June 12, 2016, which showed that the Policy was not in compliance with certain HUD requirements; and
- WHEREAS,** HUD gave the Oneida Nation ninety (90) days to become compliance with HUD requirements; and
- WHEREAS,** the Oneida Business Committee adopted emergency amendments to the Policy pursuant to Resolution BC-08-10-6-M and extended those amendments for an additional 6 months pursuant to Resolution BC-02-08-17-B in accordance with the emergency adoption process set forth in the Legislative Procedures Act (LPA); and
- WHEREAS,** the emergency amendments brought the Policy into compliance with one of the HUD findings a communication from HUD dated March 16, 2017 notified the Nation that the emergency amendments submitted for HUD review did not address a second HUD finding related to potential organizational conflicts of interest; and
- WHEREAS,** HUD provided the Nation with a deadline of May 5, 2017 to submit additional amendments to the Nation's Conflict of Interest law in order to comply with 2 CFR Section 200.318(c)(2); and
- WHEREAS,** in order to ensure full compliance with HUD's requirements, the Oneida Law Office and the Oneida Housing Authority submitted a draft of these emergency amendments to the HUD regional office for preliminary review; and
- WHEREAS,** on April 24, 2017 the HUD regional office confirmed that the attached emergency amendments to the Conflict of Interest law would satisfactorily address the outstanding HUD audit finding; and
- WHEREAS,** the LPA authorizes the Oneida Business Committee to enact legislation on an emergency basis to be in effect for a period of six (6) months, renewable for an additional six (6) months; and

WHEREAS, as it is not possible for the Legislative Operating Committee to comply with the full legislative process contained in the LPA prior to HUD's deadline of May 5, 2017 and because a failure to meet the deadline could result in a significant loss of federal grant funding to the Nation, these amendments to the Conflict of Interest law are proposed as emergency legislation; and

NOW THEREFORE BE IT RESOLVED, that the attached emergency amendments to the Conflict of Interest Policy which address potential organizational conflicts of interest are hereby adopted and are effective immediately. These emergency amendments expire on October 26, 2017.

CERTIFICATION

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members of whom 5 members constitute a quorum; 6 members were present at a meeting duly called, noticed and held on the 26th day of April, 2017; that the forgoing resolution was duly adopted at such meeting by a vote of 5 members for, 0 members against, and 0 members not voting; and that said resolution has not been rescinded or amended in any way.


Lisa Summers, Tribal Secretary
Oneida Business Committee