

Oneida Tribe of Indians of Wisconsin

Post Office Box 365



Oneidas bringing several hundred bags of corn to Washington's starving army at Valley Forge, after the colonists had consistently refused to aid them.

Phone: (414) 869-2214



Oneida, WI 54155



UGWA DEMOLUM YATEHE
Because of the help of this Oneida Chief in cementing a friendship between the six nations and the colony of Pennsylvania, a new nation, the United States was made possible.

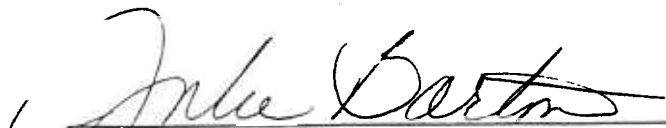
RESOLUTION # 6-07-95-A

- WHEREAS, the Oneida Tribe of Indians of Wisconsin is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States, and
- WHEREAS, the Oneida General Tribal Council is the governing body of the Oneida Tribe of Indians of Wisconsin, 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 Oneida Tribe of Indians fully supports the Constitutional Right of it members to express and practice their religion, particularly the Traditional religion of our ancestors, and
- WHEREAS it has been the custom of Native People, including the Oneida people, to open all meetings with an invocation, or prayer, the purpose of which is to adhere to the beliefs of our ancestors and to carry our their values when there are serious responsibilities and issues to be discussed, and
- WHEREAS, the Oneida Tribe recognizes that while there may be reasonable limitations placed upon public expression of religion, the Opening Words that precede all meetings of Indian people neither advocates a particular religious belief nor calls upon the inclusion of religious beliefs in the business to follow, but rather asks that all participants to be considerate and tolerant of the words of others, and
- WHEREAS, the United States government has limited certain religious expressions under specific circumstances, such limitations are promulgated by the various agencies of government and published so that all persons who may be subject to such regulations may be aware, particularly employees of that agency, and
- WHEREAS, Robert Smith is an enrolled member of the Oneida Tribe of Indians of Wisconsin, and as such is entitled to all the protections of the Oneida Constitution, the Oneida government, including the right to practice the religion of his choice, and express his beliefs that are not otherwise legally prohibited, as well the guaranteed rights set forth in the United States' Constitution, and

- WHEREAS, Robert Smith is an employee of the United States government, specifically the Environmental Protection Agency as Program Analyst in the Resource Management and Evaluation Branch, one of whose principal responsibilities is to meet with the agencies of Indian Tribal governments to assure the sincerity and sensitivity of the E.P.A. in addressing governmental issues of mutual concern, and
- WHEREAS, Robert Smith in his official position was asked by the representatives of the Cherokee Nation of North Carolina, at an official meeting, to recite to Traditional Opening Words and was informed by his superiors that such expressions were prohibited by the regulations of the E.P.A., and
- WHEREAS, subsequent attempts by Robert Smith to have access to the effective regulations were inhibited and finally admitted by officials of the E.P.A. as non-existent, and
- WHEREAS, Robert Smith objected to this denial of his right as an Oneida Indian and employee of the Federal government as a liaison to Indian governments as well as the subsequent subterfuge regarding the putative regulations, and finally found it necessary to file suit in the Federal District Court in Washington, D.C. at his own expense, and
- WHEREAS, proceedings in the case of Mr. Smith are pending and the subject to possible settlement, the denial of his rights must be pursued as upheld.
- NOW THEREFORE BE IT RESOLVED, that the Oneida Tribe of Indians of Wisconsin hereby unequivocally supports the rights of Robert Smith as set forth in the case of Robert Smith v. Browner, Civil Action No. 94-461, now pending in the Federal District Court in Washington, D. C.

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. 5 members were present at a meeting duly called, noticed and held on the 7th day of June, 1995; that the foregoing resolution was duly adopted at such meeting by a vote of 4 members for; 0 members against; and 0 members not voting; and that said resolution has not been rescinded or amended in any way.


Julie Barton, Tribal Secretary
Oneida Business Committee

ONEIDA TRIBAL LAW OFFICE

P.O. BOX 209 • ONEIDA, WISCONSIN 54155
(414) 869-2345 OR (414) 869-2214
FAX (414) 869-1534

STATEMENT OF EFFECT Resolution Regarding Support for Bob Smith

Summary

This resolution requests that the Oneida Tribe of Indians support the issues raised by Bob Smith in his federal lawsuit against the Environmental Protection Agency.

Analysis

Bob Smith, as an employee of the federal government for the Environmental Protection Agency, worked as a liaison to Tribal governments regarding environmental laws and regulations. In the course of his work, Mr. Smith was asked to participate in a meeting with the Cherokee Nation of North Carolina. This nation requested that Mr. Smith, who is a member of the Oneida Tribe of Indians of Wisconsin, recite the Traditional Opening Words. This consists of a series of statements entreating the people present at this very important meeting to listen carefully with open minds. Mr. Smith's supervisors within the Environmental Protection Agency indicated that this was in violation of regulations within the agency. These regulations were later found to be nonexistent.

Mr. Smith is requesting support from the Oneida Nation in regards to a lawsuit he has filed regarding the denial of his rights as an Oneida Indian and an employee of a federal agency as liaison to tribal governments to effectively complete his employment responsibilities. The Oneida Tribe of Indians of Wisconsin is made up of Tribal members. It was created by this membership to protect their rights. The Oneida Business Committee, as the delegated authority of the Tribe, has a responsibility toward individual tribal members, as well as the General Tribal Council. It is within the delegated powers of the Oneida Business Committee to show the type of support requested in this resolution.

Conclusion

There are no legal bars to adoption of this resolution.

Chief Counsel
Gerald L. Hill

Tribal Attorney
Michael J. Lokensgard

Tribal Attorney
Diane Danforth

Tribal Attorney
Aurene Martin

Tribal Attorney
Jo Anne House

Office Manager
Donna M. Richmond

Paralegal Researcher
Tami J. Hill