

Oneida Tribe of Indians of Wisconsin

Post Office Box 365

Phone: (414) 869-2214

Oneida, WI 54155



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



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 # BC-07-15-98-B Trust Funds Issues Resolution

WHEREAS, the Oneida General Tribal Council is the duly recognized governing body of the Oneida Tribe of Indians of Wisconsin, and

WHEREAS, the General Tribal Council has been delegated the authority of Article IV, Section I of the Oneida Tribal Constitution, and

WHEREAS, the Oneida Business Committee may be delegated duties and responsibilities by the Oneida General Tribal Council and is at all times subject to the review powers of the Oneida General Tribal Council, and

WHEREAS, the United States of America, over a long period of time, has assumed the role as trustee of lands and monies belonging to Indian tribes; and

WHEREAS, monies held in trust by the United States primarily came from land claim settlements and other settlements involving the United States government; and

WHEREAS, for the past 180 years, the United States has mismanaged its trust responsibilities, such that the Government lost voluminous amounts of the tribes' money and is unable to provide the tribes with any adequate accounting of what happened to their money; and

WHEREAS, the United States should be liable in monetary damages for losses a tribe suffered as a result of the federal government's mismanagement of the tribes' trust funds or trust resources and that under trust law principles, the burden is on the United States to account for the money that was or should have been collected; and

WHEREAS, the Department of Interior has submitted proposed legislation to Congress, introduced as H.R. 2732 and known as the Tribal Trust Fund Settlement Act of 1998, for settling the federal government's liability for mismanagement of the tribes' trust funds and resources that places the burden of proof on the tribes and that would institute a procedure that will under compensate the tribes by focusing on one portion of the mismanagement; and

WHEREAS, the Intertribal Monitoring Association on Indian Trust Funds (ITMA), a group of more than 35 tribes all of whom have funds held in trust for them by the United States and of which the Oneida Tribe of Indians of Wisconsin is a member, has formed to ensure that the trust funds held for tribes are properly handled and accounted for and has analyzed the Department's proposed legislation and has recommended to tribes that have funds held in trust by the United States that they oppose the proposed legislation in the form that it has been submitted to Congress; and

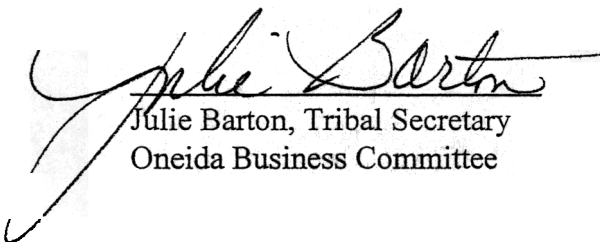
WHEREAS, some tribes may still want to settle with the federal government concerning trust fund management along the lines of the legislation proposed by the Secretary of Interior, but the tribes should have a fair and equitable mechanism by which to reach settlement for their trust funds.

NOW THEREFORE BE IT FURTHER RESOLVED, the Oneida Tribe of Indians of Wisconsin hereby urges Congress and the Department of Interior to meet further with tribes to formulate legislation that will fairly and fully compensate tribes for the damages they have suffered as a result of the federal government's mismanagement and breach of trust by applying standard trust law principles; and

NOW THEREFORE BE IT FINALLY RESOLVED, that the Oneida Tribe of Indians of Wisconsin joins with the National Congress of American Indians and other member tribes of ITMA by opposing the legislation concerning settlement of the trust funds issues as proposed by the Secretary of Interior.

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. 8 members were present at a meeting duly called, noticed and held on the 15th day of July, 1998; that the foregoing resolution was duly adopted at such meeting by a vote of 7 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