

Oneida Nation

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Oneida, WI 54155

BC Resolution # 04-14-21-D Oneida Nation Assistance Fund

- 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 Oneida Business Committee adopted the Oneida General Welfare Law as part of the Oneida Code of Laws at 10 O.C. 1001; and
- WHEREAS,** the purpose of the Oneida General Welfare Law is to provide assistance to tribal members through approved government programs that promote the general welfare of the Nation and excluded from taxation; and
- WHEREAS,** the Oneida General Welfare Law sets a framework and provides guidelines for the Nation to establish and operate approved programs which provide assistance to eligible tribal members to promote the general welfare of the Nation, including programs designed to enhance the promotion of health, education, self-sufficiency, self-determination, and the maintenance of culture and tradition, entrepreneurship, and employment; and
- WHEREAS,** the Oneida General Welfare Law leaves the definition of a “general welfare need” in the sole discretion of the Oneida Business Committee; and
- WHEREAS,** the Oneida Business Committee will create through this resolution, and in accordance with its laws and federal law, a tribal government approved program, referred to herein as Oneida Nation Assistance Fund, to offer financial assistance to Tribal members that exhibit a general welfare need and can attest to such need; and
- WHEREAS,** the Oneida Nation will allocate funds, through the Nation’s annual budget, to Oneida Nation Assistance Fund to financially assist members to meet certain needs to which they attest; and
- WHEREAS,** the Oneida Business Committee intends that Oneida Nation members, 18 and above, may apply for funds, up to a certain amount, to assist them with certain financial needs; and

NOW THEREFORE BE IT RESOLVED, the Oneida Business Committee creates hereby an approved program, the Oneida Nation Assistance Fund, for the purpose of providing for the general welfare of the Nation and its members by offering limited amount of financial assistance to Tribal members requiring general welfare need assistance and attest to such need.

BE IT FURTHER RESOLVED, the Oneida Nation's FY 2021 Budget appropriates up to five hundred dollars (\$500.00) per adult Tribal member age 18 or over to address general welfare need(s) of that member and attested to by the same.

BE IT FURTHER RESOLVED, to address the unique and compounding general welfare needs of tribal senior citizens, the Oneida Nation's FY 2021 Budget appropriates up to an additional two thousand dollars (\$2,000.00), in addition to the above stated appropriation of up to five hundred dollars (\$500.00), per adult Tribal member of 62 years of age or older to be used to address general welfare need(s) of that member and attested to by the same.

BE IT FURTHER RESOLVED, "general welfare need," for purposes of this resolution, shall be identified as: 1) costs related to housing needs relating to principal residences and ancillary structures not used in any trade, business, or investment purpose such as: a) mortgage payments, down payments, or rent payments for principal residences; b) enhancements for habitability of housing; c) providing basic housing repairs or rehabilitation; and d) paying utility bills and charges, including, but not limited to, water, electricity, gas, and basic communications services such as phone, internet, and cable; 2) financial costs associated with education, including: a) transportation to and from school, tutors, and supplies for use in school activities and extracurricular activities; b) providing tuition, room and board payments; c) providing for the child care of parents seeking employment or pursuing education; and d) provide for job counseling and interviewing expenses; 3) costs associated with elder needs such as home care assistance or improvements to adapt housing to special needs; 4) costs associated with physically or mentally disabled person needs such as home care assistance or improvements to adapt housing to special needs; 5) transportation, room, and board costs for adult Tribal members seeking medical care away from home; 6) costs associated with exigent circumstances; 7) funeral and burial expenses and expenses for attending wakes, funerals, burials, bereavements, and subsequent honoring events.

BE IT FURTHER RESOLVED, adult members must request assistance, between June 1, 2021, and September 1, 2021, through an application on which the member will provide the following: 1) full name, 2) Tribal roll number, 3) current address, phone number(s), and email, 4) date of birth, 5) bank account information for direct deposit if necessary, 6) description of need provided through options on the application and additional space provided therein, 7) an attestation that all information provided therein is accurate and in accordance with the laws of the Oneida Nation and federal law, and 8) signature of applicant, electronic or handwritten, affirming the attestation.

BE IT FURTHER RESOLVED, the information provided in the application shall be provided to 1) the Oneida Trust Enrollment Department to update membership records, and 2) any department, division, or personnel that will process the applications.

BE IT FURTHER RESOLVED, the information provided in the application may be used for other membership-related activities in the future including to process and deposit other payments in the future, and it will be the responsibility of the Tribal member to update the information in the application if it changes.

BE IT FURTHER RESOLVED, Oneida Nation Assistance Fund shall be considered an approved program within the definition of the Oneida General Welfare Law.

BE IT FURTHER RESOLVED, funds paid to the members pursuant to this resolution shall not be subject to garnishment, attachment, seizure, or execution of levy of any kind, including the administrative enforcement actions listed in 7 O.C. Chapter 704 (Child Support), and any attempt to cause any payments to be so subjected shall not be recognized by the Nation.


BE IT FURTHER RESOLVED, that the Legislative Operating Committee shall hold a community input session on the public policy of "funds paid to members pursuant general welfare programs are not subject

to garnishment, attachment, seizure, or execution of levy of any kind, including the administrative enforcement actions listed in 7 O.C. Chapter 704 (Child Support), and any attempt to cause any payments to be so subjected shall not be recognized by the Nation” and whether such policy should be a general policy or be addressed specifically in regards to each general welfare program under Title 1000 and Chapter 1001.

BE IT FINALLY RESOLVED, this resolution may be superseded or replaced by a subsequent resolution or amendments to the Oneida Nation budget.

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 14th day of April, 2021; that the forgoing 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.



Lisa Liggins, Secretary
Oneida Business Committee

*According to the By-Laws, Article I, Section 1, the Chair votes "only in the case of a tie."