

Oneida Nation

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Oneida, WI 54155

BC Resolution # 03-30-22-A Updating Tribal Contribution Savings Processes and Allocations

- 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 resolutions # BC-06-09-21-B and BC-06-23-21-C which allocated ARPA FRF to eight categories of use; and
- WHEREAS,** the Oneida Business Committee has been presented with recommended amendments to the processes based on implementation of the June 2021 resolutions, application of ARPA FRF through the lost revenue formula, identification of direct use and Tribal Contribution Savings; and
- WHEREAS,** the Oneida Business Committee has reviewed the recommendations and has determined that the recommended amendments offer clarification in the processes and provide reporting at intervals that will keep all parties informed on the status of approved projects;

(R1) NOW THEREFORE BE IT RESOLVED, the processes identified in resolution # BC-06-09-21-B in Resolve # 6, as amended by resolution # BC-06-23-21-C in Resolve # 2, are superseded by this resolution. The Oneida Business Committee adopts the following project approval process which shall be supplemented with needed Standard Operating Procedures approved by the FRF Program Office.

1. *Applications.* Applications are reviewed by the FRF Program Office for compliance with the allocation of percentages set forth in attached spreadsheet and completeness of information provided.
2. *Work Session Review.* The FRF Program Office places the project on the Oneida Business Committee work session agenda for approval, denial, or returned to project owner with suggested amendments.
3. *Approval.* If approved, the Project Owner places the project, backup, approval, and obligating resolution on an Oneida Business Committee meeting agenda for action.
4. *Expenditure Treated as if Budgeted Actions.* Expenditures under approved projects, which shall be treated in the same manner as budgeted projects, shall be authorized by the Project Owner in accordance with approved expenditure sign-off levels as identified in the Sign-Off Authority form developed for each budget cycle.
5. *Reporting.* The Project Owner shall provide reporting to the Oneida Business Committee Strategic Planner as requested by the Strategic Planner. The Strategic Planner shall provide a combined quarterly report to the Oneida Business Committee on the status of all approved projects.

6. *Final Report.* The Project Owner shall provide to the Strategic Planner a final project report identifying, at minimum – total cost amount unexpended, and both tangible and intangible benefits – on the Oneida Business Committee work session. Copies of project reports and quarter project reports shall be maintained in the ARPA FRF Tracking Team files. Upon filing of the final report with the Oneida Business Committee at a work session, the Strategic Planner shall update the “Updated TC Savings Obligations” work sheet to reflect the amount of funds returned from the obligation back to the category allocated for re-obligation.

(R2) **BE IT FINALLY RESOLVED**, the allocation spreadsheet attached to resolution # BC-06-23-21-C dated June 23, 2021, is rescinded and replaced with the allocation in the spreadsheet attached to this resolution dated March 30, 2022.

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 30th day of March, 2022; that the forgoing resolution was duly adopted at such meeting by a vote of 6 members for, 0 members against, and 1 member not voting*; and that said resolution has not been rescinded or amended in any way.



Lisa Liggins, Secretary
Oneida Business Committee

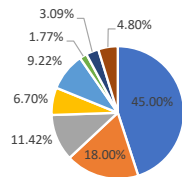
*According to the By-Laws, Article I, Section 1, the Chair votes "only in the case of a tie."

Tribal Contribution Savings Allocations - Updated March 30, 2022

FRF Funds Received	
Formula - Pro rata share of \$1 billion	\$ 1,742,160.27
Formula - 65% of FRF - Enrollment	\$ 82,113,228.55
Formula - 35% of FRF - Employment	\$ 50,339,646.91
Total Funding Received and Allocated to Lost Revenue	\$ 134,195,035.73
<i>Potential one year interest income on the remaining of FRF Funds after first year. Example calculation of simple interest on \$79.2 million at 0%.</i>	-

Proposed Tribal Contribution Savings Use Categories Based on Broad Goals Focus	Total Allocations		Description - Examples of activities within ARPA FRF Guidelines	Justification	Notes
	% Allocation	\$ based on % in Total Funding Received			
Direct Membership Assistance* - Paid in one lump sum of \$3000 each adult member as GWE, or 45% of total funds. Remaining \$10.3 million allocated in FY22/23 programming.	45.00%	\$ 60,387,766.08	Home repairs, food and health assistance, home/rental assistance, vaccine incentive.	42 USC 602(c)(1)(A); 31 CFR 35.6 (b)(12)(ii); 31 CFR 35.6 (b)(8)	Part of "Disproportionately impacted communities"; May also find funds from ARPA Homeowners Assistance Fund (HAF) -- \$10B set aside for these sorts of programs- not part of FRF
Housing - focus year one on apartments, decide on use for years 2 and 3; with an overall focus on middle income housing	18.00%	\$ 24,155,106.43	Middle income levels and family sizes affordable housing; multifamily housing; meeting all housing needs by fully funding existing and future programs	42 USC 602(c)(1)(A); 31 CFR 35.6 (b)(12)(ii); 31 CFR 35.6 (b)(8)	Will be limited on future funding -- not beyond 12/2024; HAF funding may be used for these programs as well.
Food and Agriculture - focus year one on food sovereignty infrastructure; years 2 and 3 on potential processing centers/operations	11.42%	\$ 15,325,073.08	Food and resources that include cash cropping, providing medicines, and creating a sustainable food system; improving existing structures; and continuing to explore hemp	31 CFR 35.6 (b)(6), id at (7), id at (12)	This may be shoehorned into providing assistance to non-profits, aid to impacted industries, or impacted community needs. This may take organizational realignment to show Hemp and Ag as impacted businesses. Sustainable food industry will fall under impacted communities.
Education - focus on increasing post high-school education opportunities.	6.70%	\$ 8,991,067.39	Duplicate degrees, certifications, licenses, and nonconventional education opportunities.	31 CFR 35.6 (b)(12)(iii)	
Culture & Language - focus on creating programming and infrastructure	9.22%	\$ 12,372,782.29	Increased educational opportunities across the organization, in school systems, offices, the community and in homes; and support our language immersion program	42 USC 602 (c)(1)(D); 42 USC 602(c)(1)(A); 31 CFR 35.6 (b)(12)(iii); 31 CFR 35.6 (e)(2)	42 USC 602 (c)(1)(D) and 31 CFR (e)(2) are references to broadband expansion.
Revenue Generation - focus on improving parks and gathering areas, pow wow grounds	1.77%	\$ 2,375,252.13	Improve tourism revenue opportunities through agriculture, golf, entertainment, pow wow, Applefest; managing employee wages to meet economic and market changes	42 USC 602(c)(1)(A); Fact Sheet, p. 4, Sect. 2; 31 CFR 35.6 (b)(9)	
Government Roles and Responsibilities - focus in improving GTC resources through technology	3.09%	\$ 4,146,626.60	Improving GTC meeting space; enhance the government structure to increase effectiveness and efficiency; create opportunities through technology to improve interaction with membership and incorporation of membership voice in governmental actions	31 CFR 35.6 (d)	The allocation for provision of government services in the referenced CFR section must adhere to the calculation for a reduction in the Nation's reduction in its general revenues in 31 CFR (d)(2)
Overall Priority - Land, Infrastructure, Sovereignty	4.80%	\$ 6,441,361.72	Land, infrastructure	42 USC 602(c)(1)(D); 31 CFR 35.6 (e)	Infrastructure -- water, sewer, and broadband. Land substantially more difficult to justify, if not not bordering on not justifiable.
Total Uses	100.00%	\$ 134,195,035.73			

Broad Goals Allocations



- Direct Membership Assistance* - Paid in one lump sum of \$3000 each adult member as GWE, or 45% of total funds. Remaining \$10.3 million allocated in FY22/23 programming.
- Housing - focus year one on apartments, decide on use for years 2 and 3; with an overall focus on middle income housing
- Food and Agriculture - focus year one on food sovereignty infrastructure; years 2 and 3 on potential processing centers/operations
- Education - focus on increasing post high-school education opportunities.
- Culture & Language - focus on creating programming and infrastructure
- Revenue Generation - focus on improving parks and gathering areas, pow wow grounds
- Government Roles and Responsibilities - focus in improving GTC resources through technology
- Overall Priority - Land, Infrastructure, Sovereignty

NOTES:

1. The pie chart will automatically update with any changes in percentages based on total uses over three years.
2. *Direct Membership Assistance has been substituted for Health and Safety as significant direct funding under ARPA is received for that purpose.
3. Lines in italics under FRF Funds Received chart are estimates and should be corrected when actual amounts are identified. There may be two more additional years of interest (Years 4 and 5)
4. Current allocations may be subject to change by the Oneida Business Committee.
5. Interest income is set to calculate and total and apply to the allocations.
6. Amendments - resolution # BC-06-23-21-C, resolution # BC-03-30-22-A
7. Descriptions and examples of ARPA FRF Guidelines are presented for reference only.
8. See also ARPA and FRF Lost Revenue Projects Standard Operating Procedures and FRF Revenue Loss TC Request Portal
- 9.
- 10.
- 11.
- 12.