

Oneida Nation

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Oneida, WI 54155

BC Resolution # 04-26-17-B Revenue Allocation Plan FY 2017

- 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 BC Resolution #04-12-17-A which approved a per capita payment of \$1,300.00 to every enrolled member of the Oneida Nation f/k/a Oneida Tribe of Indians of Wisconsin, in accordance with the Nation's Per Capita law, for Fiscal Years 2017, 2018, 2019, 2020 and 2021; and
- WHEREAS,** the General Tribal Council adopted Resolution #08-11-97-A which approved a per capita payment of \$2,000.00 to each enrolled elder over the age of 62, in accordance with the Per Capita law, to begin in Fiscal Year 1998; and
- WHEREAS,** the General Tribal Council adopted Resolution #06-30-90-A which approved a per capita payment of \$500.00 to each enrolled elder over the age of 65 in accordance with the Per Capita law, to begin in November 1994; and
- WHEREAS,** the Oneida Trust Enrollment Committee is delegated responsibility to manage trust accounts in accordance with the Per Capita law; and
- WHEREAS,** the Oneida Trust Enrollment Committee approved the attached Revenue Allocation Plan for Fiscal Year 2017 by motion on April 24, 2017; and
- WHEREAS,** the Indian Gaming Regulatory Act states that net revenues from any Class II and III gaming activities conducted or licensed by any tribe may be used to make per capita payments to members of the tribe only if (1) the tribe has prepared a Plan to allocate revenues for authorized uses and (2) the Plan is approved by the United States Assistant Secretary of the Interior as adequate; and
- WHEREAS,** the Revenue Allocation Plan for Fiscal Year 2017 ensures that not more than fifty percent (50%) of the net gaming revenues shall be used for per capita payments to members; and
- WHEREAS,** the attached Revenue Allocation Plan for Fiscal Year 2017 is in compliance with the Indian Gaming Regulatory Act, 25 U.S.C. 2701, *et seq.* as the Plan demonstrates that the Oneida Nation is dedicating a significant source of net gaming revenue for economic and governmental purposes; and

NOW THEREFORE BE IT RESOLVED, that the Oneida Business Committee hereby approves and adopts the attached Revenue Allocation Plan for Fiscal Year 2017.

BE IT FURTHER RESOLVED that upon adoption by the Oneida Business Committee, the attached Revenue Allocation Plan for Fiscal Year 2017 and this resolution shall be presented to the United States Assistant Secretary of the Interior for review and approval according to the Indian Gaming Regulatory Act.

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

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

ONEIDA NATION

Revenue Allocation Plan Fiscal Year 2017

Section I. Resolution and Repeal of Inconsistent Legislation

This Revenue Allocation Plan ("Plan") was adopted pursuant to Oneida Business Committee Resolution No. 04-26-17-B. With the exception of the Constitution of the Oneida Nation f/k/a Oneida Tribe of Indians of Wisconsin ("Nation") and the Gaming Compact of 1991 and its applicable amendments entered into by the Nation and State of Wisconsin, this Plan shall govern the allocation of available net revenues from the Nation's gaming enterprises including per capita distributions to qualified members of the Nation.

Section II. Policy and Legislative History

This Plan is in compliance with the Indian Gaming Regulatory Act of 1988 [25 U.S.C. §2701, specifically, §2710(b)(3)A-D] ("IGRA") and all other applicable federal law. The Nation shall use revenues generated by its gaming establishments primarily to strengthen the Nation's government, its self-sufficiency and to support its economic development. The Nation shall ensure that its governmental operations and programs and its economic development shall receive the necessary financial support from net gaming revenues prior to distributing such revenues for other purposes.

The Nation is committed to providing for its long range security and its members. Accordingly, the Nation shall ensure that net gaming revenues are allocated toward investments, programs and projects that impact not only present needs, but also anticipate future needs. In addition, the Nation shall ensure that investments, programs and projects funded by net gaming revenues are aimed toward improving national conditions and the life opportunities of its members for the next seven generations.

The Nation retains the inherent sovereign right to determine the best interests of its minor members by providing for their future welfare by placing monies into trust for the benefit of those minor members. The Nation shall provide for the future of minors while encouraging parents to provide for the immediate living needs of their children as is their responsibility.

The Nation is committed to the education of its children. Specifically, the Nation seeks to increase the high school graduation rates of its members, and encourage its members to pursue degrees in colleges, universities or vocational schools. Currently, the Nation offers financial assistance to every eligible member for educational purposes.

Pursuant to Oneida Business Committee Resolution #04-12-17-A, a per capita payment in the amount of \$1,300.00 will be distributed to every enrolled member of the Oneida Nation for Fiscal Years 2017 through 2021. The per capita distribution will be referred to as the "Per Capita Payment."

Pursuant to General Tribal Council Resolution #08-11-97A, a per capita payment in the amount of \$2,000.00 will be distributed to every enrolled elder aged 62 and over to begin in Fiscal Year 1998. Pursuant to General Tribal Council Resolution #6-30-90-A, "To begin in November 1994 to make a per capita payment of \$500 once each year, with 5% inflation built into the schedule, to all living persons over the age of 65 by 10/31 of that year." The 5% inflationary increase began in fiscal year 2003 and was added every odd year thereafter, in addition to the \$2,000 authorized by Resolution #08-11-97A. The Oneida Trust Committee took action pursuant to Oneida Trust Committee Resolution 6-25-13 to modify the 5% inflationary increase so that it will now be applied every three years beginning in 2014. The 5% inflationary increase will be applied every third year thereafter until such time as the Oneida Trust Committee designates a new schedule of payment. Both elderly per capita distributions will be referred to as the "Elderly Per Capita Payment." The aged 65 and over elderly per capita distribution pursuant to Resolution #6-30-90-A for fiscal year 2017 will be \$703.54.

The Per Capita Payment and Elderly Per Capita Payment are being made to offer financial assistance to all members of the Nation regardless of their employment with the Nation.

The Oneida Business Committee, acting in its capacity as the delegated governmental body of the Nation, is adopting this allocation plan in order to implement the above-referenced General Tribal Council Resolutions. Copies of these resolutions and motion are attached.

Section III. Use of Net Gaming Revenues; Nation's Governmental Operations and Programs

- A.** The Nation hereby allocates **26.61%** of net gaming revenues in order to provide for supplemental funding for governmental operations and programs. If it deems it necessary, the Oneida Business Committee acting at the direction of the General Tribal Council shall have the authority to revise and increase the percentage of net gaming revenues allocated to funding for its governmental operations and programs.
- B.** Governmental operations and programs to be supplementarily funded by net gaming revenues under this Section shall include, but shall not be limited to, the following: the Nation's administration, capital improvements to its offices, public works program, planning program, enrollment program, community health representative,

health services, Indian Health Services clinic, its Indian Child Welfare Act program, clean-up program, education program, school food service programs, parenting program, summer youth workers' program, library, recreation program, elderly program, veterans' symposium, arts and crafts program, and its cultural programs.

- C.** The Oneida Business Committee forwarded the Fiscal Year 2017 budget to the General Tribal Council with delegation of budget revision authority to the Oneida Business Committee. Prior to the commencement of this fiscal year, the Oneida Business Committee received budget reports and requests from each governmental operation and program listed in Section III.B. The budget reports detailed: Past fiscal year revenues, projected revenues, revenue sources, including the amount of net revenues derived from gaming enterprises, past fiscal year expenditures and projected expenditures, together with a detailed accounting for expenditures. The budget reports also included budget requests including requests for supplemental funding from net gaming revenues allocated to funding for the Nation's governmental operations and programs.
- D.** The Oneida Business Committee, after receiving all budget reports and requests under this Section, allocated those funds designated for its governmental operations and programs. This allocation occurred with the adoption of the Nation's fiscal year budget. The Oneida Business Committee shall be the sole decision making body to any actions taken upon budget reports and requests and as to the allocation of funds designated for its governmental operations and programs as delegated by the General Tribal Council.
- E.** The Oneida Business Committee disbursed those monies allocated to its governmental operations and programs in accordance with the Nation's fiscal year budget referenced in paragraph D above. Any disbursements made hereunder by the receiving governmental operation or program shall be handled in a manner consistent with the operation's or program's generally accepted accounting methods.
- F.** Prior to the adoption of the Oneida Nation's fiscal year budget, the Oneida Business Committee reviewed the budget reports and requests required in Paragraph C above for the prior fiscal year, and any other reports prepared in accordance with generally accepted accounting methods, to determine the actual amount of monies expended on its governmental operations and programs in the prior fiscal year together with the percentage of total net gaming revenues allocated to its governmental operations and programs in the prior fiscal year. Such review was reported to the General Tribal Council through Treasurer's Reports.

Section IV. Use of Net Gaming Revenues; General Welfare of the Oneida Nation and its Members

- A.** The Nation hereby allocates **40.23%** of net gaming revenues in order to provide supplemental funding for the general welfare of the Nation and its members. If it deems it necessary, the Oneida Business Committee acting at the direction of the General Tribal Council shall have the authority to revise and increase the percentage of net gaming revenues allocated to funding for the general welfare of the Nation and its members.
- B.** The Oneida Business Committee shall meet with their delegate or designee for its social services to consider the social service and general welfare needs of its members and to receive needs assessments and budget reports and requests of any of the Nation's social service program not included in Section III. These general welfare programs shall include, but shall not be limited to, utility assistance program, funeral assistance program, the Nation's housing assistance program, higher education program, elderly services, social services programs, health services and the food distribution program. The needs assessments and budget reports and requests shall be prepared in accordance with the requirements set forth in Section III.C., D., E. and F. above, except that the General Tribal Council or the Oneida Business Committee may waive the requirements set forth in Section III.F. above.

Section V. Use of Net Gaming Revenues; Oneida Nation's Economic Development

- A.** The Nation hereby allocates **6.30%** of net gaming revenues in order to provide funding for its economic development.
- 1.** If it deems it necessary, the Oneida Business Committee acting at the direction of the General Tribal Council shall have the authority to revise and increase the percentage of net gaming revenues allocated to funding for its economic development.
 - 2.** The General Tribal Council or the Oneida Business Committee acting at the direction of the General Tribal Council, may, in its discretion, allocate net gaming revenues allocated to funding for its governmental operations and programs, funding for the general welfare of the Nation and its members, donations to charitable organizations, and funding of local government operations that have not been expended as of the last date of this fiscal year to the purposes set forth in this Section.
- B.** "Nation's economic development" shall include investment of net gaming revenues. Investments of net gaming revenues allocated to its economic development shall be made pursuant to an annual budget allocation for business development and pursuant

to an investment policy to be adopted by resolution of the General Tribal Council or the Oneida Business Committee. At a minimum, this investment policy shall provide:

1. That the net gaming revenues allocated to investment pursuant to Section V of the Revenue Allocation Plan shall be weighted toward investments that provide for the long term security of the Oneida Nation and its members.
 2. A description of the types of investments made;
 3. A percentage allocation of equities and bonds;
 4. Investment objectives to be reviewed on a quarterly basis by the Oneida Business Committee; and
 5. A list of investments that shall be excluded due to their lack of safety and liquidity.
- C.** Investments of net gaming revenues allocated to its economic development shall be made with nationally recognized, reputable, and safe investment companies in accordance with the Nation's goal toward the long term economic security of itself and its members. The Oneida Business Committee, in its discretion, may allocate the interest earned on investments made pursuant to this Section in accordance with the provisions of the Nation's laws, IGRA or any other applicable federal law.
- D.** The Oneida Business Committee acting at the direction of the General Tribal Council shall have the authority to appropriate and expend net gaming revenues allocated to its economic development to fund proposed economic development projects. The Nation's economic development proposals shall be considered in accordance with existing procedures. The Oneida Business Committee acting at the direction of the General Tribal Council shall thereafter allocate those net gaming revenues designated for its economic development to the proposed economic development project as it deems necessary and feasible.
- E.** The Oneida Business Committee acting at the direction of the General Tribal Council shall have the authority to appropriate and expend net gaming revenues allocated to its economic development to supplement funding for ongoing economic development enterprises. Requests for supplemental funding for the Nation's ongoing businesses and enterprises shall be considered in accordance with existing procedures. The Oneida Business Committee acting at the direction of the General Tribal Council shall thereafter allocate those net gaming revenues designated for its economic development to the ongoing business or enterprise as it deems necessary and feasible.

Section VI. Use of Net Gaming Revenues; Donations to Charitable Organizations

- A. The Nation hereby allocates **0%** of net gaming revenues to provide funding for donations to charitable organizations.
- B. The Oneida Business Committee acting at the direction of the General Tribal Council shall consider requests for charitable donations under this Section. The Oneida Business Committee acting at the direction of the General Tribal Council may show a preference to such charitable donation requests that benefit the Nation's members or Indian people generally.

Section VII. Use of Net Gaming Revenues; Funding of Local Government Operations

- A. The Nation hereby allocates **6.83%** of net gaming revenues to provide supplemental funding for local government operations.
- B. The Oneida Business Committee acting at the direction of the General Tribal Council shall have the authority to utilize the net gaming revenues allocated to funding of local government operations to assist local city and county governments in projects and programs that affect the Nation. The Oneida Business Committee may show a preference for such local government projects or programs that benefit its members or Indian people generally. The Oneida Business Committee shall receive or initiate proposals for projects or programs with local city or county governments and negotiate the terms of such projects or programs in light of funds available under this Section. To the extent that the local government projects or programs contributed to under this section benefit non-Indians, the Oneida Business Committee may require the local government to provide matching funds.

Section VIII. Use of Net Gaming Revenues; "Per Capita Payment" and "Elderly Per Capita Payment"

- A. In order to advance the personal health, safety and welfare of qualified members, the Nation hereby allocates **20.03%** to be paid to qualified members. Pursuant to Oneida Business Committee Resolution #04-12-17-A, a per capita payment in the amount of \$1,300.00 will be distributed to or contributed in trust (as applicable) on behalf of every enrolled member for fiscal years 2017 through 2021.

Pursuant to General Tribal Council Resolution #08-11-97A, a per capita payment in the amount of \$2,000.00 will be distributed to every enrolled elder aged 62 and over to begin in Fiscal Year 1998. Pursuant to General Tribal Council Resolution #6-30-90-A, a per capita payment in the amount of \$500.00 will also be distributed to every enrolled elder aged 65 and over. As authorized by Resolution #6-30-90-A, an additional 5% may be built into the \$500 per capita payment made to qualifying elders, as was done in fiscal years 2003-2011. The Oneida Trust Committee took

action pursuant to Trust Committee Resolution 6-25-13 to modify the 5% inflationary increase so that it will now be applied every three years beginning in 2014. The 5% inflationary increase will be applied every third year thereafter until such time as the Oneida Trust Committee designates a new schedule of payment. The aged 65 and over elderly per capita distribution for fiscal year 2017 is \$703.54.

In accordance with the United States Department of Interior's Rules and Regulations, Part 290-Tribal Revenue Allocation Plan, Vol. 65, No. 53 Fed. Reg. 14467, (March 17, 2000), and for purposes of this Plan, "per capita payment" shall mean those payments made or distributed to all of the Nation's members, or, to identified groups of members, which are paid directly from the net revenues of any gaming activity; no other commonly accepted or used definition of the term "per capita payment" affects the use of the term herein.

1. Per capita payments to the Nation's qualified members shall be made no later than September 30, 2017, for the FY 2017 payment, or as soon thereafter as is legally practicable based on the submission date to allow for the minimum time for regulatory review of the Revenue Allocation Plan.
 2. The Elderly Per Capita Payment shall be made not later than September 30, 2017, for the FY 2017 payment, or as soon thereafter as is legally practicable based on the submission date to allow for the minimum time for regulatory review of the Revenue Allocation Plan.
 3. Upon approval of this Plan, all net revenue designated for distribution as per capita payments shall be deposited into a low-risk interest bearing account with a federally insured financial institution prior to distribution. Interest earned prior to distribution on net gaming revenues deposited in this account shall be deposited into the Nation's General Fund for future use at the discretion of the Oneida Business Committee as delegated by the General Tribal Council.
- B.** The Nation's "qualified members" for purposes of the "Per Capita Payment" shall mean those individuals who are duly enrolled in the Oneida Nation f/k/a Oneida Tribe of Indians of Wisconsin pursuant to Article II of the Oneida Nation's Constitution and the Oneida Membership Ordinance established by General Tribal Council Resolution #7-2-84-A. Pursuant to the Nation's Per Capita law, an individual who is not a Tribal member shall file a new enrollment application with the Trust Enrollment Department no later than the close of business on January 31st in order to be considered eligible for the following per capita payment. An individual is considered enrolled for the purposes of a per capita payment if the individual has been approved for enrollment by a vote of the Oneida Business Committee by March 31st. The "Nation's qualified members" who have attained the age of 62 for the \$2,000 payment or 65 for the

additional \$703.54 payment as of December 31 of the year in which the payment is made are eligible for the Elderly Per Capita Payment.

1. The Nation shall place into trust the per capita payments, or any portion or percentage thereof, of any individual who is declared incompetent by the Oneida Judiciary or another court of competent jurisdiction. The Oneida Trust Enrollment Committee shall invest said funds pursuant to an Investment Policy adopted by the Oneida Trust Enrollment Committee taking into account the goals and purpose of the trust, appropriate time horizons for investment, and liquidity needs of the trust.
2. The Oneida Trust Enrollment Committee or its appointed agent shall have the authority to order the disbursement of funds held in trust on behalf of any individual who has been declared legally incompetent upon the petition of the guardian of such individual. The Oneida Trust Enrollment Committee may require the petitioning guardian to submit receipts of expenditures made from funds disbursed hereunder before any future disbursements are made. The establishment of a regular monthly allowance for any individual declared legally incompetent from the proceeds of any per capita payment placed into trust under this Section shall be at the discretion of the Oneida Trust Enrollment Committee or its appointed agent.

C. In order to provide for the future safety and well-being of the children of the Nation, the General Tribal Council authorized that per capita payments designated for minor beneficiaries shall be deposited into a "Minors Trust Fund" established and invested by the Oneida Trust Enrollment Committee pursuant to an Investment Policy adopted by the Oneida Trust Enrollment Committee taking into account the goals and purposes of the trust, appropriate time horizons for investment, and liquidity needs of the trust.

1. A "minor beneficiary" means an individual who is a qualified member of the Nation as defined in Section VIII.B., except that he or she has not reached the age of eighteen (18) as of September 1 of the year in which the per capita payment is made.
2. Payments into the "Minors Trust Fund" shall be deposited into the respective trust account of the minor beneficiaries. Account market value statements shall be available to the participant, parent, parents or legal guardian of the minor qualified member.
3. Except for those accounts subject to a deferred election as set forth in Section VIII.C.5., each beneficiary shall receive one trust account maturity payment of the monies accumulated in the "Minors Trust Fund," including interest, for that particular beneficiary on such dates declared by the Oneida Trust

Enrollment Committee for the distribution of trust benefits, at least annually, when the beneficiary has reached eighteen (18) years of age as of September 1st of the year in which the per capita payment is made and is eligible to claim the trust account. In order for the request to be granted, the beneficiary must submit a Trust Payment/Deferral Form to the Trust Enrollment Department by July 1 requesting to receive all or a portion of the distribution and either (1) provide the Trust Enrollment Department with an original or notarized copy of his/her high school diploma, a high school equivalency diploma or a general equivalency diploma on or before September 1 or (2) request his/her school or academic institution provide proof of education directly to the Trust Enrollment Department. It is the beneficiary's responsibility to make all arrangements with his/her school or academic institution to ensure proof of education is received by the Trust Enrollment Department no later than September 1st. Individuals who have reached twenty-one (21) years of age as of September 1st of the year in which the per capita payment is made and beneficiaries who have documentation of learning or other disabilities from a professional qualified to make such a diagnosis and who are able to present a certificate of attendance showing twelve (12) years of school attendance are exempt from the requirement to provide proof of the receipt of a high school diploma or its equivalent in order to be eligible for a Minors Trust Fund distribution. Additionally, funds for an adult declared legally incompetent shall be put into a trust account for a legally incompetent adult. If the foregoing requirements are not met within the prescribed time frames, the trust funds shall not be eligible for disbursement until the next annual Uniform Distribution Date the beneficiary qualifies for, unless the beneficiary meets the requirements for a health, education or welfare distribution due to an unforeseeable emergency in accordance with Section VIII.C.4. and the Per Capita Trust Agreement.

4. The Oneida Trust Enrollment Committee shall have the authority to order early distributions of any funds placed into the "Minors Trust Fund" on behalf of a minor beneficiary prior to the age of twenty-one (21) upon proper petition provided that the Oneida Trust Enrollment Committee determines that (1) the distributed funds will be used solely for the health, education or welfare of the beneficiary and (2) the distribution is a result of an unforeseeable emergency. Any petition for such emergency distribution shall include: a detailed budget of monies necessary for the beneficiary's health, education or welfare; a detailed justification for the need to expend trust funds to meet the beneficiary's health, education or welfare needs, including other possible sources of funds or the lack thereof; a showing that the request is for an unforeseeable emergency; and a showing that all other resources, including federal, state, local, and tribal assistance, have been exhausted. The Oneida Trust Enrollment Committee may also require that petitioners submit receipts of expenditures made from funds disbursed hereunder before any future

disbursements are made. Request for a distribution under this section for a beneficiary under the age of age eighteen (18) must be signed by the beneficiary's parent or legal guardian. Requests upon reaching age eighteen (18) may be signed solely by the majority age beneficiary.

5. Notwithstanding the regular maturity payments rules set forth above, the Oneida Trust Enrollment Committee may, at its option, implement optional deferral elections whereby trust beneficiaries (joined by a parent or guardian as appropriate) may defer payment to a later date or dates; provided that the Oneida Trust Committee may implement procedures and restrictions designed to comply with IRS deferral requirements including, without limitation, constructive receipt and economic benefit.
- D. A newly enrolled Tribal member is eligible only for per capita payments authorized to be distributed following the effective date of his or her enrollment; he or she is not eligible to receive any per capita payments that were distributed prior to the effective date of his or her enrollment.
- E. A Tribal member who is dually enrolled with another Indian tribe is not eligible for a per capita payment unless his or her relinquishment from the other tribe has been processed and written verification that the member is no longer enrolled with that tribe has been received by the Trust Enrollment Department by September 1st.
- F. The Oneida Business Committee or its appointed agent shall insure that notification of the application of federal and/or applicable state tax laws to per capita payments be made when such payments are made. The Oneida Business Committee or its appointed agent shall also implement a procedure by which qualified members who receive per capita payments can have applicable taxes automatically deducted from per capita payments. The Oneida Business Committee or its appointed agent shall include in the notice of the application of federal tax laws, a notice of the existence of the withholding procedure.
- G. If any dispute arises out of the distribution of this per capita payment, all such matters shall be resolved according to the procedures set forth in the Judiciary Law adopted pursuant to General Tribal Council Resolution # 01-07-13-B.

Section IX. Revision of Allocated Percentages

Any revision of the allocated percentages as set forth in Sections III through VIII shall be documented by an Oneida General Tribal Council or Oneida Business Committee resolution, a copy of which shall be provided to the Secretary of the Interior. Any revision under this section is subject to Secretarial approval as required by the Indian Gaming Regulatory Act (IGRA).

Section X. Severability

If any section, or any part thereof, of this Plan or the application thereof to any party, person, or entity or, in any circumstances, shall be held invalid for any reason whatsoever by a court of competent jurisdiction, or by the Department of the Interior, the remainder of the section, part or Plan shall not be affected thereby and shall remain in full force and effect as though no section, or part thereof, has been declared to be invalid.

Section XI. No Waiver of Sovereign Immunity.

Nothing in this Plan shall provide or be interpreted to provide a waiver of the Nation's or any of its governmental officers' and/or agents' sovereign immunity from suit.

Section XII. Amendment or Repeal of Plan

This Plan, and any section, part, and word thereof, may be amended or repealed only by an Oneida Business Committee or Oneida General Tribal Council Resolution which requires a two-thirds vote of the Oneida Business Committee or the Oneida General Tribal Council respectively. Any resolution adopted by the Oneida General Tribal Council or Oneida Business Committee repealing the Plan will be forwarded to the Department of Interior. Any resolution adopted by the Oneida General Tribal Council or Oneida Business Committee which approves of amendments to the Plan will be forwarded to the Department of Interior along with the subject amendments. Any repeal or amendment of the Plan under this section is subject to Secretarial approval as required by the Indian Gaming Regulatory Act (IGRA).

Section XIII. Readoption is not Automatic if no Plan for Subsequent Fiscal Year.

If no Revenue Allocation Plan is prepared for the subsequent fiscal year, the terms of this Plan shall not be automatically adopted, without any further General Tribal Council or Oneida Business Committee action, to govern the allocation of net gaming revenues for the subsequent fiscal year.

Section XIV. Effective Date

This Plan governs the distribution of any and all net gaming revenues occurring in fiscal year 2017 which began on October 1, 2016, and will end on September 30, 2017. This Plan becomes effective upon adoption by the Oneida Business Committee of Resolution 04-26-17-B and approval by the Area Director of the Bureau of Indian Affairs in accordance with the United States Department of Interior's Rules and Regulations, Part 290-Tribal Revenue Allocation Plan, Vol. 65, No. 53 Fed. Reg. 14467, (March 17, 2000), IGRA, and all other applicable federal law. Accordingly, this Plan is effective on the 26th day of April, 2017.