

Oneida Nation

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Oneida, WI 54155

BC Resolution # 02-24-21-A

Additional Emergency Amendments to the Oneida Higher Education Pandemic Relief Fund Law

- 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 Higher Education Pandemic Relief Fund law ("the Law") on an emergency basis through the adoption of resolution BC-08-12-20-E, and then amended the Law on an emergency basis through the adoption of resolution BC-08-25-20-A; and
- WHEREAS,** the purpose of the Law is to create the Oneida Higher Education Pandemic Relief Fund to assist eligible Tribal members enrolled as students in higher education institutions with funding from the Coronavirus Aid, Relief, and Economic Security (CARES) Act Coronavirus Relief Funds (CRF) in order to meet the higher education needs of its students during the COVID-19 Public Health Emergency; and
- WHEREAS,** on March 12, 2020, Chairman Tehassi Hill signed a "*Declaration of Public Health State of Emergency*" regarding COVID-19 which declared a Public Health State of Emergency for the Nation until April 12, 2020, and set into place the necessary authority for action to be taken and allows the Nation to seek reimbursement of emergency management actions that may result in unexpected expenses; and
- WHEREAS,** the Nation's Public Health State of Emergency has since been extended by the Oneida Business Committee until March 13, 2021, through the adoption of resolutions BC-03-28-20-A, BC-05-06-20-A, BC-06-10-20-A, BC-07-08-20-A, BC-08-06-20-A, BC-09-09-20-A, BC-10-08-20-A, BC-11-10-20-A, BC-12-09-20-D, BC-01-07-21-A, and BC-02-10-21-A; and
- WHEREAS,** emergency amendments to the Law are being proposed to allow the Oneida Higher Education Pandemic Relief Fund to continue to be utilized in the event additional CARES CRF are received by the Nation; and
- WHEREAS,** the emergency amendments to the Law remove any reference to the 2020 Fall Term; and
- WHEREAS,** the emergency amendments to the Law eliminate references to the December 15, 2020 deadline to provide proof of expenditures and instead provide that proof of expenditures or

expenses must be provided by the appropriate deadline provided for in the Oneida Higher Education Pandemic Relief Fund standard operating procedure; and

WHEREAS, the Legislative Procedures Act authorizes the Oneida Business Committee to amend legislation on an emergency basis when the legislation is necessary for the immediate preservation of the public health, safety, or general welfare of the Reservation population, and the amendment of the legislation is required sooner than would be possible under the Legislative Procedures Act; and

WHEREAS, the emergency amendments to this Law are necessary for the preservation of the general welfare of the Reservation population as the emergency amendments ensure that the Oneida Higher Education Pandemic Relief Fund may be utilized if additional CARES CRF are received by the Nation by providing more flexibility for the deadline for when proof of expenditures and expenses shall be submitted by the student; and

WHEREAS, observance of the requirements under the Legislative Procedures Act for adoption of the amendments to this Law would be contrary to public interest since the Nation is currently experiencing the vast effects of the COVID-19 pandemic, and the process and requirements of the Legislative Procedures Act cannot be completed in time to ensure that the Law can be amended to best assist members of the Nation during this COVID-19 pandemic; and

WHEREAS, the Legislative Procedures Act does not require a public meeting or fiscal impact statement when considering the adoption of emergency amendments; and

WHEREAS, the emergency amendments are effective for a period of six (6) months, renewable by the Oneida Business Committee for an additional six (6) month term; and

NOW THEREFORE BE IT RESOLVED, the Oneida Business Committee hereby adopts the emergency amendments to the Oneida Higher Education Pandemic Relief Fund law effective immediately.

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 24th day of February, 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."