



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

# Oneida Tribe of Indians of Wisconsin

## BUSINESS COMMITTEE



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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.

**To: The Oneida Business Committee**  
**From: Councilman Brandon Stevens**  
**Date: 2/26/2013**  
**Re: Code of Ethics review and consideration**

Because of recent actions I am asking the Oneida Business Committee to review the Code of Ethics. It has become more apparent from several different sources i.e. Kalihwisaks Chairman's Article, Oneida Times February 2013 edition "Message from the Chairman" article, Public Land Use Hearing comments and the Channel 26 Interview, that the Code of Ethics is being blatantly violated, specifically referring to:

### The Code of Ethics

**3.3-2.** The Code of Ethics shall be as set out below, recognizing that the concept of ethical conduct encompasses action as well as inaction, and represents an area of self-regulation. Provided further, that it is the policy of government officials to demonstrate the highest standards of personal integrity, truthfulness, honesty, and fortitude in all public activities in order to inspire public confidence and trust in the governmental officials of the Oneida Tribe of Indians of Wisconsin.

**3.3-3.** The following shall govern the interaction between government officials and their constituents, co-officials, and employees:

(a) A government official shall create and maintain an independent and honorable political system, and shall observe high standards of conduct toward achieving this goal, including, but not limited to

**(1) encouraging separation between departments or entities of tribal government, and should avoid contact or duty that violates such a separation.**

**(2) avoid participation in action or decision making (except where participation is in accordance with the traditions of the Tribe) that would present an appearance of conflict of interest or an actual conflict of interest.**

(b) A government official should respect and comply with the law and tradition of the Tribe and should at all times act in a manner that promotes public confidence in the honesty and impartiality of government officials, including but not limited to

(1) influence of family, social or other personal relationships influencing conduct

**(2) using prestige of the office to advance private interests of others**

(3) conveying use of special influence or being specially influenced.

(c) A government official should use the following standards in relation to the duties of office

**(1) adhere to the laws, customs, and traditions of the Tribe**

(2) be patient, dignified and courteous to constituents, co-officials, and others with whom the official deals in an official capacity, and should require similar conduct of others in official proceedings and those personnel subject to the official's discretion and control.

**(3) give to every person who is interested in an action time to be heard**

**(4) not comment to non-tribal members on any proceeding, session, or action unless directed to do so by an official action of the Oneida General Tribal Council, Oneida Business Committee, or their delegates.**

**Oath of Office:**

*"swear to uphold the laws and regulations of the Oneida Tribe of Wisconsin, the Oneida Constitution and the Oneida General Tribal Council. I will perform my duties to the best of my abilities and on behalf of the Oneida people with honor, dignity and sincerity."*

**Media Policy adopted by OBC:**

**Article V. Procedures**

**4-1.1 Interviews**

- a. No interviews will be held by representatives of the Oneida Nation without clearance from the Oneida Nation Business Committee via the Communications Department.**
- b. When reporter contacts a representative of the Oneida Nation, the representative shall refer the reporter to the Communication Department or take down the appropriate information and forward it to the Communications Department.**

I am asking that we take a look at this to remind ourselves that we are not to make public statements without the review of the Public Relations Department or without the approval of the OBC or General Tribal Council. Acting alone is diminishing the credibility of the Nation as a whole. We are elected to represent the members and image of our Tribe by Law, Oath and Policy is not to negatively affect them. As the Liaison it is my responsibility to communicate my concerns and support the separation of Business and Government.

**Concerns:**

- 1) There is a process for corporations such as OSGC to follow and that process does not include approval or support from the OBC, however there are lines of communication
- 2) The OSGC and the Oneida Tribe are one; they are a partnership that should work towards success and support and respect the corporate veil under which OSGC operates, which should be utilized to keep communication open and frequent between the entities.
- 3) Zoning and Planning have said the land for the proposed concept is acceptable and does not present a conflict; trust your professional staff to deliver accurate information.
- 4) Before the OBC takes an official position on a project, they owe it to OSGC to provide them a full presentation.

**Content and impact:**

- 1) Chair's public comments to the media are not in line with any Tribal position because we have no official position there for violating the media policy which violates the oath of office and code of ethics.
- 2) Chair's comments may have a negative impact on present litigation for damages. It is very detrimental to OSGC case and convolutes the factors in the decision making of the Board.
- 3) OSGC has not fully approved the project; the board only approved a concept.
- 4) Chairman's comments are unfounded. Statements have been made and are not justified by any credible or professional source.
- 5) OSGC requested to move business to the GTC, the BC directed OSGC to take it through the process.
- 6) The Tribe's reputation is being questioned in the business sector due to the published comments by the Chairman. Groups that supported previous project are puzzled as to why Chairman speaking against.
- 7) The Chairman should allow himself an opportunity to be educated on the entire concept before any further public comment and together the OSGC and OBC should move forward with open lines of communication.

**Recommendation:**

The OBC develop a communication plan as to allow the process to occur and formulate a position whether in support or nonsupport.

**Attachments:**

Media Policy

Kalihwisaks article

Oneida Times Article

**Media Policy**  
(Communication Dept. S.O.P.)

Article I. Purpose  
Article II. Adoption, Amendment, Repeal

Article III. Definitions  
Article V. Procedures

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**Article I. Purpose**

1-1. The purpose of this policy is to set a standard uniform policy designed to accurately and consistently disseminate information about, for and by the Oneida Tribe of Indians of Wisconsin (herein referred to as the Oneida Nation) to the media, press or other news gathering sources.

1-2. This policy is also designed and implemented to assist and protect representative of the Oneida Nation and to assist reporters getting proper information from proper sources.

**Article II. Adoption, Amendment, Repeal**

2-1. This policy is adopted by the Oneida Business Committee under authority delegated by the Oneida General Tribal Council.

2-2. This policy may be amended pursuant to the procedures set out in the Oneida Administrative Procedures Act by the Oneida Business Committee or the Oneida General Tribal Council.

2-3. Should this provision of this policy or the application thereof to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this policy which are considered to have legal force without valid portions.

2-4. All other Oneida laws, policies, regulations, rules resolutions, motions and all other similar action which are inconsistent with this policy are hereby repealed unless specifically re-enacted after adoption of this policy.

**Article III. Definitions**

3-1. Press shall include but not limited to print, broadcast and photo journalists.

3-2. Media shall include but not limited to newspapers, televisions stations, radio stations, photographers, magazines and other published periodicals.

3-3. Representatives of the Oneida Nation include employees, members of boards, committees and commissions, employees of boards, committees and commission and \*consultants to the Oneida Nation.

3-4. Reporter means a representative or journalist of the media or press.

3-5. Press Release means any information sent out to the media, press or news gathering sources in regards to the Tribe by a representative of the Oneida Nation.

3-6. Deadline refers to the last opportunity for the Oneida Nation to respond to a reporter.

3-7. Clearance refers to approval.

\* refers to only the interest that consultants have with the Oneida Nation

**Article V. Procedures**

**4-1. Interviews**

a. No interviews will be held by representatives of the Oneida Nation without clearance from the Oneida Nation Business Committee via the Communications Department.

b. When a reporter contacts a representative of the Oneida Nation, the representative shall refer the reporter to the Communications Department or take down appropriate information

and forward it to the Communications Department.

c. The Communications Department is responsible for determining the purpose of the query, the issues, ~~potential question the reporter may ask and deadline the reporter is on.~~

d. ~~Communications will then give an overview of the media request for approval as outlined below as well as a recommendation as to who should represent the Oneida Nation.~~

1. Approval is obtained in the following order:

(A) Chairperson

(B) Vice- Chairperson

(C) Treasurer

(D) Secretary

(E) Two Council Members

(F) General Manager and a Council member

e. If request is denied Communications will notify the media and initial representative contacted (if applicable).

f. If request is approved the Communications Department will assist the coordination of the Oneida Nation representative(s) and the reporter.

h. Once clearance is approved, clearance for representatives to interview with the media and press is considered approved for that particular issue or topic for a period of one week following the date approval is given.

#### 4-2. Photography

a. Any photography of Oneida Nation representatives, buildings, culturally or historically significant items or sites must attain clearance.

b. Permission must still be attained from representatives involved. (For example, if a photojournalist request for a shot of the Airport Child Care facility is approved by the Business Committee, approval must also be attained by the supervisor on duty.)

c. No cameras are allowed into the casino/one-stop casino areas without clearance from the Business Committee. \*\* If clearance is obtained then follow the procedures outlined below.

1. If clearance is obtained Communications will contact the property shift managers who will then notify Oneida Bingo and Casino security and if time allows notify the Gaming General Manager and Gaming Manager.

2. If security deems the presence of cameras in the casino/One Stops, or portion of, as detrimental to the operation, security may reject approval for the entire facility or portion thereof.

3. A security officer must escort the photography crew during the entire duration of their visit. The following are off limits for the camera:

(A). Shots of money exchanges. This includes dealer to customer or vise versa, fills and credits, jackpot payout, buying and selling of coins at cage or on the floor.

(B). No shots of security cameras.

(C). No tight shots (particularly cards).

(D). No shots inside cage or vault areas.

c. Security officers should also monitor the solicitation of Casino/One-Stop customers for photo opportunities. \*\*does not apply to Oneida Bingo and Casino's Sales and Marketing Department.

#### 4-3. Press Releases

a. All press releases must attain approval as described above. Approvals will attain signatures on back of releases.

b. Communication will distribute the press release as follows.

1. Broadcast fax, which include all departments, media, other Tribal Nations, and other interested parties.

2. E-Mail through the Oneida Nation MIS/pc system.

c. Each area/department is responsible for disseminating the press release to all employees.

d. Once approval is given for a press release, clearance for representatives to interview with the media and press is considered approved for that particular press release and topic for a period of one week following the date on press release.

e. Communications will keep a copy of all press releases.

#### 4-4. General

a. Failure to follow this policy will result in action against the representative in accordance to the Oneida Tribe of Indians of Wisconsin: Tribal Policies and Procedures, Employee Relations Section D.2.VIj.

## Waste to Energy Project

### Message from Tribal Chairman Ed Delgado

Some, Indian and non-Indian, are saying that I, the Oneida Tribal Chairman, am being inconsistent regarding where to place the Oneida Seven Generations Waste-to-Energy Project. They say I supported Project being placed in an industrial zone in Green Bay. True! They say, now with the Project being rejected by Green Bay city officials, I do not support the Project being constructed on Water Circle Drive, here in what many consider to be the heart of the Oneida Indian community (Reservation). True again!

Approximately a year ago, I visited the Green Bay site. The site is definitely an industrial zone. I would not take my family to that general area for a picnic as that area is definitely designated as an industrial zone. However, in the area on the Reservation known as the Water Circle Business Park, I would take my family to that area because it is clean to the point that I believe it to be "pristine." I believe that the employees working at the nearby Little Bear Development building would like to believe that the area has good clean air to breathe and that the Oneida Tribe would endeavor to keep it that way. I also believe that with Tribal schools and proposed athletic fields within a half-mile of proposed Project, the Oneida community will think hard before allowing the Project to be implemented in the Water Circle Business Park area.

On a related issue, a recent edition of the Kalitwisaks said that the projected funding for the facility would come from "grants." Not true. The funding thus far has come primarily from loans, and that if the Project goes forward, the funding will come almost exclusively, from more loans, with Tribal collateral most likely being risked. In my point of view, it appears that this whole Waste-to-Energy Project, once projected to be a bright shining star in Oneida's quest to diversify its economy, is now a project whereby we not could lose our credibility, our clean air, and our resources. It just seems to be going that way.

Finally, I feel good about being able to communicate this message via a second source of news on the Oneida Indian Reservation. Two newspapers is logically better than one. I encourage other Tribal leaders to use this opportunity. Probably a good idea to not be too wordy (space is money). Thanks.

**The Oneida Times  
wants you to know...**

*Who will make money from  
this proposed 7 gasification system?*

*The GTC must demand that 7 tell us  
who are the shareholders and investors  
in 7.*

*In the past with Nature's Way,  
Artley Skenandore then CEO(some reported  
that his annual salary was 450,000)  
in all the incorporations and LLC's  
formed by 7 were paid, but state taxes,  
tribal rental  
for buildings, and the  
Millions borrowed from the Oneida  
people were not paid back.*

***Who is making money?  
Not the Tribe!***

## Chairman's Corner...

### Current Hot Issue

*Waste to Energy Project:* Some are saying that I am being inconsistent regarding my position on the Oneida

ty (Reservation). This may sound like inconsistent logic on my part, but I don't think it is.

Seven Generations Waste-to-Energy Project. They say I supported the Project being placed in an industrial zone in Green Bay. That's true! Some also say, now that the Project has been rejected by Green Bay city officials, I do not support the Project being constructed on Water Circle Drive here in what many consider to be the heart of the Oneida Indian communi-

### Chairman's Report

By Ed Delgado  
Chairman



industrial growth. Our project would have fit within this industrial area.

However, in the area on our Reservation known as the Water Circle Business Park, I

Little Bear Development building would like to believe that the area has good clean air to breathe and that the Oneida Tribe would endeavor to keep it that way. The General Tribal Council will most likely make the final decision on the Project being placed here.

On a related issue, a recent edition of the Kalihwisaks said that the projected funding for the facility would come from "grants." Not true. The funding thus far has come primarily from loans, and that if the Project goes forward, the funding will come almost exclusively come from more loans, with Tribal collateral, land included, most likely being at risk. In my point of view, it appears that this whole Waste-to-Energy Project, once projected to be a bright shining star in Oneida's quest to diversify its economy, is now becoming an initiative whereby our credibility with our neighbors and our own people is being diminished and our environment along with our financial and property resources are being put at risk.

## A Message to the Tribe...

The Oneida people are made up of three nations, the Oneida Indian Nation in New York, the Oneida of the Thames in Canada, and us, the Oneida Tribe of Indians of Wisconsin. Once we were one people. Once our warriors, both men and women warriors, fought and died together in the creation of the United States of America. Yes we are three nations, each separate with separate governmental structures, but we still have a common history and common blood lines. We are them, and they are us -

God made it that way and that common history and our common blood lines will never change. In a truly twisted turn of events, yesterday, I was notified that the United States Supreme Court is currently considering whether or not they will decide on a case (Madison County vs Oneida Indian Nation) which is calling for the disestablishment of the Oneida Indian Reservation in New York State. If this case goes bad for our Oneida relatives, they would be homeless and landless and betrayed.

Betrayed by a government that requested they fight and sacrifice their lives in the creation of the United States, only to destroy them as a people 230 years later. I hope we all pray for Oneida Indian Nation. I will be sending a letter to the Oneida Indian Nation offering my moral support in their fight to survive. I am sure that the Oneida Business Committee feels the same way.

Sincerely,  
Ed Delgado, Oneida Tribal Chairman