

**Purpose**

The Oneida Nation has received Coronavirus Relief Funds (CRF) that were authorized by the CARES Act. The Oneida Business Committee has approved dedicating some of these CRF funds to creating a small business grant fund that will assist businesses suffering from the hardships due to the COVID-19 pandemic. The name of this grant program is Oneida Nation Small Business Assistance Program II (ONSBAP II).

ONSBAP II will assist Oneida member-owned businesses outside the Oneida Nation Reservation impacted by the COVID-19 emergency after March 12, 2020 and before May 26, 2020, until the liquidation of the ONSBAP II, or the ONSBAP II is terminated through government action, whichever comes first.

**Role of Bay Bank**

The Oneida Nation will utilize Bay Bank to administer this grant program. Bay Bank's responsibility is to accept grant applications, assist the business in completing the application, collect all necessary supporting documents and package the final grant application for review by the Oneida Nation. Bay Bank does not make the decision on the grant application. After the Oneida Nation has approved a grant application, Bay Bank will disburse the funds to the small business.

**Eligible Businesses**

A business will be eligible for ONSBAP II grant if it is:

- a. majority (51%) owned by enrolled member(s) of the Oneida Nation;
- b. business is located outside the Oneida Nation Reservation and not on tribal-owned land operated by 1822 Land and Development Company of Oneida, LLC;
- c. business can certify it has been affected by the COVID-19 emergency and suffered a business interruption due to the same;
- d. the business is organized pursuant to state business formation laws or, if not organized thereby, has filed a Schedule C (Form 1040) as part of its 2018 and/or 2019 federal tax filing;
- e. business was in operation prior to March 1, 2020;
- f. business certifies it has and may produce, if requested, monthly profit and loss statements for the year prior to March 1, 2020 or for the months it has been in business if less than a year.

**Affected by COVID-19 emergency**

A business shall be presumed affected by the COVID-19 emergency if:

- a. it closed for business pursuant to a COVID-19 related government order from the State of Wisconsin;
- b. it suffered reduced revenues of 5% or more after March 1, 2020 if permitted to remain open for business after promulgation of the aforementioned government orders;
- c. the business was forced to close or reduce its hours of operation or provision of services due to
  - i. employees unable to work due to COVID-19 related matters (personally inflicted or required to care for a family member inflicted by COVID-19)
  - ii. revenues curtailed due to aforementioned government orders (e.g.: a restaurant limited to only curbside service), or
  - iii. loss of contracts for provision services due to customer/client impacted by COVID-19 emergency.

**Grant Amount**

The grant amount may be determined by the following:

1. Payroll costs:

- a. Payroll costs including salary or wages of employees hired prior to March 1, 2020 and still employed or vacated position filled pursuant to ONSBAP II grant
- b. Tips (if customary in the line of business and based on employer records or good faith employer estimates of tips) of employees hired prior to March 1, 2020 and still employed or vacated position filled pursuant to ONSBAP II grant
- c. Benefits including health care coverage and retirement contributions in effect prior to March 1, 2020 or reinstated after vacated position filled

Business owner may seek ONSBAP II grant for aforementioned costs incurred after March 12, 2020 and until May 26, 2020.

2. Payroll cost limitations:

- a. Business owners must verify employee salaries, wages, and benefits prior to March 1, 2020
- b. Employees must have been employed prior to March 1, 2020 or position filled pursuant to ONSBAP II grant
- c. Compensation shall be capped at \$50,000 of an individual employee receiving an annual salary in excess of \$50,000
- d. Independent contractors or consultants contracted with the business shall not be included as a part of the grant amount.

Business owner may seek ONSBAP II grant for payroll costs incurred after March 12, 2020 and until May 26, 2020.

3. Other business-related costs:

- a. utility payments for service agreements incurred before March 1, 2020
- b. rent or interest on mortgage for place of business incurred before March 1, 2020.

Business owner may seek ONSBAP II grant for these costs incurred after March 12, 2020 and until May 26, 2020.

4. Post-COVID-19 emergency marketing and development: twenty percent (20%) of items nos. 1 and 3 above. The funds allocation in this enumerated section may be used for marketing costs, business development costs, and expenses associated with acquiring personal protection equipment, disinfectants, signage, and other material or items to safeguard business operations and customers.

5. The amount of a grant may be limited to less than the sum of nos. 1, 3, and 4 above at the discretion of the Nation to ensure all eligible businesses have an opportunity to partake in the ONSBAP II. ONSBAP II grant funds may be used only for reimbursable expenses within the above categories.

6. A business owner may apply for and receive an ONSBAP II grant only once. The Nations reserves the right to expand the program to permit additional rounds of application if the member-owned small businesses exhibit a continuous need related to the COVID-19 emergency and the ONSBAP II has sufficient funds for additional grants.

7. The maximum ONSBAP II grant will not exceed \$20,000.00. The grant request must be substantiated by the requirements contained within this document and any associated laws or procedures. All reimbursements to the applicant pursuant to the ONSBAP II must be supported by documentation of the expenses, costs, or loss.

8. Applicants must file for the ONSBAP II no later than July 31, 2020.
9. Business owner will retain necessary documentation substantiating the request and use of funds. Any grant funds not used by Eligible Business shall be returned to the Oneida Nation by September 30, 2020.
10. The Oneida Nation reserves the right to audit the use of funds within two years of the awarding of the ONSBAP II grant. The Oneida Nation reserves the right to clawback all or a portion of the ONSBAP II grant made to a business if the grant funds were used for purposes other than those listed in nos. 1, 3, and 4 above.

Please use the attached worksheet to list all eligible costs - See Exhibit A

**Documentation and use of documents**

Business owner should be prepared to document its adherence to the above requirements prior to approval of the grant application. Requested and produced documentation will become a part of the record associated with the ONSBAP II grant and may be used by the Nation to satisfy federal data requests, federal audits, or other legal federal request associated with CRF.

**Grant Agreement**

The amount, terms and conditions of the ONSBAP II grant shall be memorialized in a Grant Agreement executed by the Oneida Nation or a delegate thereof and the business owner.

<b>Certification</b>
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- I certify that my business meets the eligibility requirements for this grant.
- I certify that the information I have submitted in this application is true and correct.
- I agree to provide all necessary documentation to support my request.
- I agree to use the proceeds of this grant as I have listed in the Eligible Grant Costs Table above.

Signature	Printed Name	Date
Eligible Business Name		Title

Checklist of required items

Signed Grant Application	
Copy of Tribal ID	
Documentation for Payroll Costs:	
Wages	
Tips	
Benefits	
Utility Payments	
Rent or Mortgage Interest	
Proof of Business Ownership	
Business Formation Documentation	