EBCI Minors Trust Fund GenWell Program Summary

- On 4/2/2026, Tribal Council passed an ordinance updating Cherokee Code Chapter 16 to allow for certain Minors Trust Fund distributions to be in the form of non-taxable GenWell payments. The ordinance also changed the frequency and amount of Minors Trust Fund disbursements. The changes went into effect on 4/8/2026 and apply to all distributions after that date.
- Members can now request distributions every year starting at age 18. Previously, distributions occurred at ages 18, 20, 22, 24, and 25.
- To receive a distribution at age 18 or age 19, a member still must meet the criteria in Cherokee Code 16C-6(a)(5)(A): High school diploma, GED, homeschool state certification, or certificate of attendance for members with disabilities; and completion of the required online financial course.
- A member can only apply for one distribution each calendar year.
- Distributions are only issued upon completion of the application process.
- Members can choose not to apply to receive a distribution and can leave their funds in their accounts until they reach age 65.
- All Minors Trust Fund distributions are automatically enrolled in the EBCI Minors Trust Fund GenWell Program. Members can opt out of the program by selecting the GenWell opt-out checkbox on each Minors Trust Fund disbursement application form that they submit.
- Every January, the Finance Office will establish the maximum annual amount that can be distributed as GenWell from the Minors Trust Fund that will not be taxable. The maximum Minors Trust Fund distribution amount that can be treated as GenWell and be exempt from federal income tax for 2026 is $60,000.
- Exceptions to the GenWell maximum limit:
    - Advance distributions from the Minors Trust Fund established in Tribal Code for Housing, Education, and Healthcare will not be counted towards the maximum annual EBCI Minors Trust Fund GenWell amount because these distributions require proof of the specific general welfare purpose including justification for the amount. All advance distributions will be tax-exempt regardless of the amount, unless the member opts out of the EBCI Minors Trust Fund GenWell Program.
    - The annual limit does not apply to the final distribution that fully liquidates the participant's Minors Trust Fund account. Since this will be the final payment from the participant's Minors Trust Fund account, the final distribution is meant to cover general welfare purposes for the next 5 years, so the maximum amount that could be considered GenWell is five times the annual limit.
- If you are 25 or older you have the option to request the annual GenWell amount or request your entire account balance. You can request the annual amount each year until your account has a zero balance.

- For a member's final Minors Trust Fund distribution, any amount over the GenWell threshold will not be considered GenWell and will be taxable.
    - If your distribution is for the remaining balance and it is over the GenWell threshold, payments will be split into taxable and non-taxable amounts, with the taxable portion having 25% withheld for federal income taxes. The taxable portion will be reported to the IRS and a year-end 1099 will be issued.
    - If you request to fully liquidate your account and your account balance is greater than the GenWell threshold, to ensure that none of your distribution is taxable you could request to withdraw the annual distribution amount. Then in following year, request your remaining balance. By splitting up the payments and keeping your final payment under the threshold, you can create a payment schedule that makes none of the distribution taxable
- Payment schedule and application deadlines:

Minors Fund Application Deadlines

Deadline	Period	Check/Direct Deposit Date
March 31	January 1 – March 31	By June 15
June 30	April 1 – June 30	By September 15
September 30	July 1 – September 30	By December 15
December 31	October 1 – December 31	By March 15

The date you turn in your complete and qualifying application determines which cycle you fall into and your check date. Payments are made in quarterly cycles.
EBCI Finance will intake and process your application. Notary services are available as well.
Mailing address: Department of Treasury, PO Box 455, Cherokee, NC 28719
Physical address: 468 Sequoyah Trail, Cherokee, NC 28719

If you have questions or need additional information, please:
email MinorsFund@ebci-nsn.gov
or call 828-359-6640 or 828-359-7085