

1 **Little Traverse Bay Bands of Odawa Indians**
2 **CONSTITUTIONALLY MANDATED RULES OF CONDUCT**
3 **for All LEVELS of TRIBAL GOVERNMENT**
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6 **SECTION I. PREAMBLE**
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8 Little Traverse Bay Bands of Odawa Indians officials and employees are Public
9 Servants and public service is public trust. Each official and employee has a
10 responsibility to the Tribe and its Tribal Citizens to place loyalty to the Constitution, laws
11 and ethical principles above private gain. To ensure that every Tribal Citizen can have
12 complete confidence in the integrity of the Tribal Government, each official and
13 employee shall respect and adhere to the principles of ethical conduct set forth in these
14 Rules.
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17 **SECTION II. SHORT TITLE.**
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19 These Rules shall be known and cited as the Little Traverse Bay Bands of Odawa
20 Indians' "Rules of Conduct."
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23 **SECTION III. PURPOSE**
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25 According to the Little Traverse Bay Bands of Odawa Indians Tribal Constitution,
26 Section Article VII, (D)(6), the Tribal Council shall have the power to: "*Adopt rules of*
27 *conduct to govern all levels of Tribal government*". The purpose of Rules of Conduct is
28 to establish clear standards for the principles and expectations that are binding on Tribal
29 officials and employees.
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32 **SECTION IV. GENERAL STANDARDS OF CONDUCT**
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A. No official or employee shall use, or attempt to use, any apparent authority of their office or duties which places, or could reasonably be perceived, as using public office for private gain for themselves, their business or another person, before those of a Tribal Citizen, whose paramount interests their office or employment is intended to serve.

B. No official or employee shall knowingly and independently use his or her position with the tribe to access information, documents, or other materials which are not available to all Tribal citizens generally, unless such access is available as a part of their duties and/or position.

C. Participate in the selection, or in the award or administration of a contract supported by Federal funds and/or Tribal funds, if a conflict of interest, real or apparent, would be involved. A conflict of interest shall be deemed to arise when the official, employee or any member of their immediate family, or an organization or firm which employs such official or employee, or family member has a financial or other interest in the firm or person selected for the contract or grant award.

D. No official or employee, however, shall accept any benefit, income, favor or other form of compensation for the performance of the duties of any other office or employment not actually performed or for which such official or employee is not otherwise properly authorized or entitled to receive; strictly prohibit kickback, bribes, rebates or any kind of benefits intended to induce business benefits.

E. No official or employee shall disclose confidential information which he or she has acquired by reason of their position nor shall such information be use and/or disclosed to further their own economic and personal interest or that of anyone else.

F. No official or employee shall use, request, or permit the use of the Tribe’s motor vehicles, equipment, materials, property or staff, except for the conduct of official business.

1 **G.** No official or employee shall solicit or accept for themselves, their family or
2 another, any gift, including economic opportunity, favor, service, or loan (other than from
3 a regular lending institution on generally available terms) or any other benefit from any
4 person, organization or group of which, if the gift is an attempt to influence performance
5 or nonperformance of the official's or employee's duties; to obtain a contract, grant,
6 loan, employment, or any financial relationship from or within the Tribe; to create or
7 influence a financial relationship with the Tribe; from a person or entity that regulates or
8 inspects the Tribe; or is from a person or entity that is in a legal proceeding of which the
9 Tribe is an adverse party. The following are not considered gifts and may be accepted by
10 an official or employee:

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- 12 **1.** Social hospitality based on personal relationships;
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- 14 **2.** Modest items, such as food and refreshments, offered as a matter of social
15 hospitality;
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- 17 **3.** Greeting cards and items with little intrinsic value, such as plaques,
18 certificates, and trophies, which are intended solely for presentation;
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- 20 **4.** Rewards and prizes given in contests or events, including random
21 drawings, that are open to the public and that are available based on factors other
22 than official or employment status;
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- 24 **5.** Scholarships or fellowships awarded on the same terms and based on the
25 same criteria applied to other applicants;
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- 27 **6.** Acceptance of an award for meritorious achievement from a charitable,
28 religious, professional, recreational, social, fraternal, public service, or civic
29 organization;
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- 31 **7.** Acceptance of a plaque or memento of nominal value offered as a token of
32 esteem or appreciation on the occasion of a speech or public appearance;
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1 **8.** Small tokens or favors given to everyone attending a function or
2 celebrating an occasion;

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4 **9.** Traditional gifts; such as feathers, pouches and blankets.

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6 **10.** Gifts from and obviously motivated by family or social relationships, as
7 among immediate family members or family inheritances;

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10 **SECTION V. SAVINGS CLAUSE**

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12 In the event that any phrase, provision, part, paragraph, subsection or section of these
13 Rules are found by a court of competent jurisdiction to violate the Constitution, laws or
14 ordinances of the Little Traverse Bay Bands of Odawa Indians, such phrase, provision,
15 part, paragraph, subsection or section shall be considered to stand alone and to be deleted
16 from these Rules, the entirety of the balance of the Rules to remain in full and binding
17 force and effect.

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20 **SECTION VI. EFFECTIVE DATE**

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22 Effective upon approval by a vote of the majority of Tribal Council.

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24 This Rule was approved by Tribal Council on:

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29 Tamara Kiogima, Tribal Council Secretary

Date