

# **Title 1**

## **TRIBAL GOVERNMENT OPERATIONS CODE NORTHWAY TRIBAL GOVERNMENT**

**Northway, Alaska**

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# CHAPTER 1

## GENERAL PROVISIONS FOR ALL TITLES AND CODES

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### Section 1. Authority to Adopt Written Tribal Law

The Northway Tribal Council adopts written tribal codes under the inherent sovereignty of federally recognized Indian tribes of the United States, as delegated to the Northway Tribal Council from the Tribe under Article 9 of the Tribe’s constitution. Unless otherwise stated specifically in the Tribe’s constitution or codes, codes may be adopted, amended, or repealed under the provisions of Chapter 2 of this Title.

### Section 2. Relation of Written Tribal Law to Unwritten Tribal Laws

It is not the intention of Northway codes to undermine or eliminate our traditional unwritten law that is part of our aboriginal culture and heritage. Unwritten traditional law has always been in place and codes shall not displace the application of our unwritten custom law. We will continue to respect and implement the knowledge of our customs and values. Unwritten traditional law shall be the highest form of law for our Tribe.

### **Section 3. Purpose of Northway Tribal Codes**

The purpose of our tribal codes is to provide an orderly framework to govern the activities within the jurisdiction of the Tribe. Our codes are based on the customary and traditional values and laws of our people and include guidance as needed by the present population of the Tribe.

### **Section 4. Effective Date**

The effective date of all codes and amendments shall be the date of adoption by the Northway Tribal Council unless otherwise specified by code.

### **Section 5. Jurisdiction of the Tribe**

The Northway Tribe shall have all the jurisdiction, immunities and privileges available to federally acknowledged Indian tribes, in our government-to-government relationship with the United States, as well as the responsibilities, powers, limitations and obligations of such tribes.

### **Section 7. Interpretation and Severability of All Titles and Codes**

- A. Liberal Interpretation:** All Northway codes shall be liberally interpreted to give full effect to the purposes for which they were adopted.
  
- B. Civil in Nature:** Northway codes shall generally be interpreted as civil in nature and any violations shall not be interpreted as a criminal offense unless specifically provided by code.
  
- C. Severability:** If any provision of Northway codes, or their application to any person or legal entity or circumstances, is held invalid, the remainder of the codes, or the application of the provision to other persons or legal entities or circumstances, shall not be affected.

**D. Unwritten Custom Law:** The unwritten custom law of the Northway Tribe shall remain in place and shall not be infringed upon by any Northway code.

## **Section 7. Definitions**

In all Northway codes, the following words and phrases shall have the following meanings unless otherwise specified by code:

**"Adult"** means a person who is 18 years of age or older.

**"Child" or "Minor"** means a person who is under 18 years of age.

**"Conflict of Interest"** Conflict of interest for Council members is defined in the Tribe's Constitution as: "No Council member shall vote on any matter, including but not limited to employment contracts, project funding, project allocations and appointments to tribal committees, in which he or she has a direct, significant personal interest. A personal interest also includes matters involving his or her spouse or significant other, parents and in-laws, grandparents, children, grandchildren, or siblings and in-laws. Council members present when such an issue is decided shall reveal such conflict prior to any vote, and shall abstain from voting." Northway Council members shall not vote on any matter in which they cannot be fair, for any reason.

**"Council"** means the Northway Tribal Council. "All its members" or "all council members" means all 7 positions on the Council.

**"Majority Vote"** means that the outcome of an election in which the Tribal Council or tribal voters are asked to vote in favor or against something is determined by a vote of more than 50% of the total votes cast, unless a larger number is specifically required by the Northway Constitution or by code.

**"May"** means that something is permitted. If this word is used it means that the action specified can be done but does not have to be done.

**"Shall"** is mandatory. If this word is used, it means that the action must be done.

**"Tribal Member"** means any person who meets the eligibility requirements for membership in the Northway Tribe as defined by the Northway Tribal Constitution and as clarified by the Northway Membership and Enrollment Code. Tribal members 18 and over shall mean enrolled. Lineal descendants of tribal members who are under 18 years old shall be tribal members whether they are formally enrolled or not.

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**Section 1. Purpose**

The purpose of this code is to establish a uniform procedure for how tribal codes are proposed, adopted, amended, and repealed. It is the intent of the Northway Tribe that tribal codes shall interpret and clarify the Constitution to meet the current needs and values of the Tribe and that that tribal codes do not conflict with our traditional values and customs.

**Section 2. Definitions**

**‘Amend’** means that wording is added, taken out, or changed within an existing code.

**‘Code’** is a tribal law intended to establish written procedures and guidance for the Northway Tribal Government, its members, and for those persons and entities that enter into consensual relations with the tribe or its members, or affect the health, safety and welfare, economic or political integrity of the Tribe or its members. Each chapter of each title shall be a code.

**“Codification”** shall mean that the Northway tribal codes shall be organized into Titles, Chapters and Sections.

**‘Repeal’** means that the whole title, chapter, or section is removed.

**“Referendum”** means sending an issue or code to the tribal members to vote on.

### **Section 3. Procedures for the Council for Adopting, Amending, and Repealing Codes**

- A. Code Proposals:** Proposals to adopt, amend, or repeal codes may be submitted to the Northway Tribal Council or to the tribal administrator to forward to the Council, by a council member, by any member of the Tribe, or by any person the Council requests to do so, at any regular Council meeting.
- B. Notification:** After a code proposal is made to the Council, the Council shall set a time for the proposal to be discussed and/or voted on. The Council shall make the proposal available to the tribal members and shall post Notice of when and where the discussion about the proposal will take place. The Notice shall be posted at least 1 week before the meeting in at least 3 public places in Northway, and may otherwise be advertised.
- C. Opportunity to Speak:** All meetings in which code proposals are discussed, and/or voted on, shall be open to the tribal membership. Tribal members shall have the opportunity to voice their opinions, ideas, and concerns about the proposal as directed by the Council Chairperson.
- D. Making Copies Available to Tribal Members:** Copies of a proposed code, amendment, or proposal to repeal shall be made available to any tribal members upon request, prior to a meeting where they are discussed. Such copies shall be made available to all persons present at the tribal meeting where they are being discussed. If a code is adopted or amended, the Council shall make copies available to tribal members.

**E. Adoption of Proposal:** Any council member may move to adopt a code proposal. Codes shall be adopted, amended or repealed by vote of the Tribal Council, and documented by signed certification and may be further documented by a resolution of the Northway Tribal Council. An affirmative vote of at least 5 Council members is necessary to adopt, amend or repeal codes. The effective date of a code proposal is the time the Council affirmatively votes unless otherwise provided for by code.

#### **Section 4. Referendum Vote:**

Codes shall be put to a referendum vote of the tribal members if the Northway Constitution or codes so specify. The Council has the option of calling a referendum vote on code proposals even if it is not specifically called for, if supported by at least 5 Council members. Elections on referendum issues shall follow the guidelines for special tribal elections. A code adopted, amended, or repealed by the tribal voters shall remain in effect until changed by the tribal voters, or expires under its own terms.

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**Section 1. Purpose of Ethic Standards**

The Northway Tribal Council Members, Tribal Court Judges, tribal employees and appointed representatives are the leadership of the Northway Tribe and their actions are a reflection on the Northway Tribal Government. The purpose of this code is to promote responsibility of the leadership and respect by the tribal members of their government. All tribal council members, judges, employees, and representatives shall follow the following guidelines outlined in this Code. Additionally, they shall comply with the Council Member and Employee Code of Ethics adopted in April 2013. Persons who violate these guidelines may be subject to counseling by the Tribal Council, repaying per diem and meeting fees or other reimbursement, and/or removal from office or termination of employment. Removal of Council members shall only be considered for habitual and/or the most serious situations, and then only be carried out according to the guidelines of the Northway Constitution. Removal of Judges shall be considered under the guidelines of the Northway Judicial Code in addition to the ethic standards set forth in this code. Tribal employees shall follow the guidelines in this code and also those set forth in the Northway Tribal Personnel Policy. They may be subject to termination for gross violation.

## Section 2. Ethics Guidelines

**A. Alcohol and Illegal Drug Use:** Council members, Tribal Court Judges, all persons employed by the Tribe, or tribal representatives shall not attend any meetings, court sessions, workshops, or training sessions while carrying out the official duties of tribal office or otherwise representing the Northway Tribe while under the influence of alcohol or illegal drugs.

**B. Travel Guidelines:** Whenever persons are traveling for the Tribe under any type of activity or business, they shall maintain high ethical behavior and conduct themselves in such a way that reflects positively on the Northway Tribe. Persons on approved travel status shall attend all meetings or work sessions relating to the activity they are attending, and may be required to pay back travel and per diem, or a portion thereof if they fail to do so. An exception may be made if the person becomes ill or extraordinary circumstances exist beyond their control. These circumstances shall be immediately relayed to the President or to the Tribal Council Office.

- 1. Trip Reports:** all persons traveling on per diem and representing Northway shall make trip reports within 2 weeks of the travel. Trip reports shall be written, except that Elders who travel as representatives of the Tribe may orally present their trip reports at a Council meeting when minutes are being taken.

**C. Confidentiality:** Tribal officials shall not disclose or use confidential information acquired in the course of their official duties to significantly further their personal financial interest, to give a vendor or contractor an unfair advantage over other vendors or contractors, or in any personal or public social situation, including internet social networking. Tribal Court Judges and the Tribal Court Clerk shall take an oath of confidentiality as described in the Northway Judicial Code.

**D. Bribes:** Tribal officials shall not accept bribes for official action. Tribal officials may accept small non-monetary gifts or public awards for recognition of service.

**E. Nepotism and Favoritism:** Tribal officials shall not exert excessive influence or favoritism to pressure other tribal officials to alter decisions concerning employment or other benefits for their “immediate family members.” “Immediate family members” include spouses, significant others, persons with whom they have a romantic relationship with, children, parents, grandparents, grandchildren, siblings, and anyone living in the same household.

### **Section 3. Violations of Ethic Standards**

Complaints about violations of Ethic Standards may be brought to the Tribal Council for investigation, or be brought to the Northway Tribal Court by Petition. Employees who violate these Standards may be subject to termination under the terms of the Northway Tribal Personnel Policy and any other personnel policy and state or federal laws that may apply. Council members, tribal court judges, or representatives of the Northway Tribe may lose their positions for violation of these Standards under the procedures outlined in the removal and recall provisions of the Northway Constitution and/or through procedures specified in tribal codes.

# CHAPTER 4

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## **Section 1. General Guidelines for Northway Tribal Elections**

- A. Secret Ballots:** All tribal elections shall be conducted by secret balloting.
- B. Preparing Ballots:** Ballots shall be prepared as directed by the Northway Tribal Council.
- C. Notice of Elections:** Notice of tribal elections shall be posted at least 30 calendar days prior to elections unless otherwise specified by tribal constitution or code. Notices shall be posted in at least 3 public places in Northway.
- D. Outcome of Elections:** For elections for tribal council members, the results shall be determined by those who receive the highest number of votes. The outcome of other elections where tribal members are asked to vote for or against something, shall be determined by a simple majority (greater than 50%) of eligible voters casting their votes during the election unless otherwise provided by the Northway Constitution or by code.
- E. Election Formats:** Elections for tribal council members shall take place in a general tribal membership meeting in the month of April. Elections for other matters may be done through a membership meeting or through the use of polling hours.
- F. Tie Votes:** In the event of a tie vote at an election held in a tribal membership meeting, a re-vote shall be done at that meeting. In the event of a tie vote at an election using polling hours, the Council shall call a special election to break the tie under the provisions of Section 6 of this Code.
- G. Ballot Box:** When polling hours are used, cast ballots shall be kept in a locked ballot box until the votes are counted.
- H. Proxies:** Proxy voting shall not be permitted.

## **Section 2. Voter Qualifications and List of Voters**

- A. Voter Qualifications:** The basic qualifications for tribal voters are listed in Article 8 of the Constitution of the Northway Tribe: “Any tribal member eighteen (18) years of age or older, and is physically present in Northway for an election, shall be qualified to vote.”
  
- B. List of Qualified Voters:** The Tribal Council shall maintain a list of qualified voters, which shall be given to the Election Committee prior to elections.

## **Section 3. Election Committee**

- A. Election Committee Members:** There shall be an Election Committee consisting of at least 2 adults appointed by the Council prior to each tribal election.
  
- B. Duties of Election Committee:** The duties of the Election Committee shall be to supervise, administer, and conduct tribal elections. The Election Committee shall certify the election of tribal council members, or other election results. In the event of election disputes, the determination of the Election Committee shall be final.
  
- C. Conflict of interest:** For tribal elections involving the election of Tribal Council Members, no member of the Election Committee shall at the same time be a member of the Council, or be a candidate for a position on the Council.
  
- D. Determining who is Qualified to Vote:** The Election Committee shall determine that voters are qualified by comparing their names to the qualified voters list prepared by the Northway Tribal Council and shall make sure that voters are only voting once.
  
- E. Monitoring polls:** When polling hours are used, at least one Committee Member shall monitor the poll at all times.

**F. Present when ballots are counted:** For all elections, both Election Committee members shall be present when ballots are counted.

**G. Unclear ballots:** If a ballot cast is not clearly marked, the Election Committee shall have the authority to discard such a ballot, or the portion of the ballot that is unclear. If a ballot is discarded, the Election Committee shall make a note regarding the ballot on the Certification of Election.

#### **Section 4. Election of Northway Tribal Council Members**

**A. Election by Meeting and Month of Election:** Elections of Northway Tribal Council members shall be conducted at the annual tribal membership meeting in April.

**B. Place, Time, and Date:** The Council shall determine the date, time, and place of the annual meeting at which the elections shall take place in April.

**C. Notice:** Notice of elections for Council positions shall be posted at least two weeks prior to elections, and posted in at least three public places in Northway. The Notice shall state the basic qualifications for being on the Northway Tribal Council, how many seats are up, and any other relevant information that the Northway Tribal voters should be aware of.

**D. Quorum:** A quorum of at least 35 qualified tribal voters shall be required to hold an election for Council positions.

**E. Qualifications for Office:** To be eligible to serve on the Northway Tribal Council, candidates must be enrolled Northway tribal members and:

- Be 18 years of age or older
- Physically reside in Northway for at least 1 year immediately prior to a Council election

- Not have been convicted of a felony by any court with competent jurisdiction within 3 years immediately prior to an election
- Not be enrolled in another tribe

**F. Nominations:** Nominations for serving on the Tribal Council shall be taken from the floor of the meeting where the election is held. A person nominated must meet the qualifications for serving on the Tribal Council. The person shall either be at the meeting in person to accept the nomination, or have given specific permission to nominate them at the meeting if, for good reason, they are unable to attend the meeting. The floor shall not be closed for nominations until there has been a thorough opportunity to make all nominations people want to make.

**G. Ballots:** Voters may vote for the number of seats that are open, but not vote for a person more than one time.

**H. Officer Positions and Results of Election:** The results of elections for Council members shall be determined by the highest numbers of votes received. The positions of President, Vice President, and Secretary/Treasurer shall be decided annually by the tribal council itself, immediately following each annual election. As required by the Northway Constitution, the Officers shall be lineal descendants of base roll members.

**I. Failure to call an election or to assemble 35 tribal voters:** If the Council fails to call an election in April, or if 35 tribal voters are not assembled to make a quorum, the Council shall call for an election in May. If the Council fails to call for an election in May or June, tribal members may circulate a petition signed by at least 35 qualified tribal voters to have a tribal membership meeting to conduct such an election. The required number of signatures shall be gathered within a 30 day period. Once the petition has an adequate number of signatures, notice shall be posted in at least three (3) public places, two weeks prior to the membership meeting to conduct the

election. A quorum of at least 35 qualified tribal voters shall be required to conduct the election.

## **Section 5. Procedures for Special Elections**

- A. Special Elections:** The Council may call a special election by an affirmative vote of at least 5 Council members. The Council shall give at least a 30 calendar day Notice of special elections to Tribal voters. The Notice shall be posted in at least 3 public places in Northway and shall contain an explanation of what the election is about.
  
- B. Elections for Recalling Tribal Council Members or Tribal Initiatives:** Elections for recalling tribal council members, or on tribal initiatives, may be held in a tribal meeting format if the Council fails to call such an election after a proper recall or initiative petition has been received. At such a meeting, a quorum of 35 of the qualified tribal voters residing in Northway must be established and Notice posted in at least 3 public places, 2 weeks prior to such a meeting.

## **Section 6. Recounts and Challenging Election Results**

- A. Recounts:** Any qualified tribal voter may request a recount of ballots at the meeting where the election is held. For special elections where polling hours are used, a request to conduct a recount of an election may be made within 2 days after an election by any qualified voter. Such a recount shall be done with both Election Committee members and the person requesting the recount present. The person requesting the recount shall pay for any costs associated with the recount.
  
- B. Challenging Election Results:** Tribal members may challenge election results if the terms of the Northway Constitution or the Northway Tribal Election Code are violated. Such challenge may be done through a petition and election process. A petition must be circulated and signed by at least 35 qualified tribal voters and submitted to the Council no later than 14 calendar days after the challenged election. The petition shall state the alleged violation of the Northway Constitution

or Tribal Election Code. Once presented to the Council, the Council shall hold a new election following the procedures outlined in the Northway Constitution and the Tribal Election Code. If the Council fails to hold such an election within 30 calendar days after receiving the petition, the tribal membership may meet to conduct a new election. Any tribal voter may post Notice of such a meeting, which shall be posted for a minimum of 14 calendar days. At such a meeting, a quorum as specified in the Northway Constitution shall be required to conduct a new election.

# CHAPTER 5

## MEMBERSHIP AND ENROLLMENT

### IN THE NORTHWAY TRIBE

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## **Section 1. General Provisions**

This Code is intended to govern the membership requirements and enrollment procedures of the Northway Tribe. The basic requirements for tribal membership are outlined in Article 3 – Membership, of the Constitution of the Northway Tribe. This Code is intended to provide clarification and procedures to those basic requirements.

## **Section 2. Authority to Regulate Membership Issues**

The Northway Tribal Council shall have the authority to approve eligible applicants who are lineal descendants of base roll members in the Council's regular course of business, by a majority vote of a quorum. By an affirmative vote of at least 5 council members, the Council may adopt new Native people into the Tribe who are not lineal descendants of base roll members, provided that they meet the qualifications described in Section 3 (E) of this Code. The Council shall also have the authority to disenroll members as described under the circumstances outlined in Section 4 (E) of this Code, provided that an affirmative vote of at least 5 Council members shall be required to take such action. Appeals of the Council's decisions concerning tribal membership for lineal descendants or disenrolled members may be made according to the provisions of Section 6 of this Code.

## **Section 3. Membership**

- A. Basic Membership Requirements:** Article 3 of the Constitution of the Northway Tribe outlines the basic membership requirements for the Northway Tribe.
  
- B. Base Roll:** The base roll of the Northway Tribe as stated in the Constitution "shall be the original members from the late 1800s whose names are: Bill and Laura John, Chief Sam and his wife, Taiy-tah and Anna Northway, Annie Johnny, Old Charley and his wife, and Bessie Mason.

**C. Lineal Descendants of Base Roll Members:** Article 3, Section 2 of the Northway Constitution: All lineal descendants of base roll members shall be automatically eligible for membership in the Northway Tribe, provided that lineal descendants over 18 are not enrolled into any other tribe. Children under 18 and lineal descendants of members on the base membership roll shall be tribal members regardless of whether or not they are formally enrolled into the Northway Tribe or enrolled into another tribe. Lineal descendants over 18, who are not already formally enrolled, shall be considered automatically eligible for membership in the Northway Tribe and may submit applications for formal enrollment, provided that they are not enrolled into any other tribe.

**D. Children of Tribal Members:** Children of tribal members include both biological and adopted American Indian or Alaska Native children who are adopted under tribal or state law. Parents and guardians may not relinquish tribal eligibility or disenroll their minor children from the Northway Tribe. Minor children shall either be formally enrolled into the Northway Tribe or be members in the Northway Tribe by virtue of their eligibility until they reach 18 regardless of whether or not the parents or guardians enroll them into another tribe. Children who have not been formally enrolled to the Northway Tribe by their parent or guardian and wish to be formally enrolled, may apply upon reaching 18.

**E. Adoption of New Natives:** By an affirmative vote of at least 5 Northway Tribal Council members, new Native persons with a minimum of 1/4 Alaska Native or American Indian blood, who are not lineal descendants of a base roll member may be adopted into the Northway Tribe, provided that they physically live in Northway for at least 3 years immediately prior to applying. Adopting New Natives into the Tribe is at the sole discretion of the Council, and they may be disenrolled if they move out of the Village. Children of adults who are adopted into the Tribe are not automatically eligible for membership in the Northway Tribe unless at least one parent is a lineal descendant of a base roll member.

**F. Relinquishment of Tribal Membership:** Adult tribal members may voluntarily give up their own membership in the Northway Tribe. The Northway Council shall

provide forms for relinquishment. The form shall be completed, signed, notarized and submitted to the Northway Tribal Council. An adult member who has relinquished their membership, shall be automatically eligible to be re-enrolled. Minors may not give up their membership in the Northway Tribe. Parents or guardians may not relinquish membership for their minor children.

## **Section 4. Enrollment**

**A. Dual Enrollment:** Dual enrollment is not permitted for persons 18 years old and older. Dual enrollment is permitted for lineal descendants under 18 years old, and they may not be disenrolled for any reason. Lineal descendants under 18 years old shall be considered tribal members whether or not they are formally enrolled into the Northway Tribe.

### **B. Enrollment Procedures**

- 1. Application for Enrollment:** Application forms shall be made available at the Northway Tribal Council Office or at the Tanana Chiefs Conference main office. Application forms are also available on the Northway website, [northwayvillagecouncil.org](http://northwayvillagecouncil.org). Persons wishing to apply for enrollment in the Northway Tribe shall submit an application to the Northway Tribal Council. The Council shall mail applications upon request.
- 2. Reviewing Applications:** Applications shall be reviewed for accuracy and completeness by the Northway Council, or by a designee of the Council. If an application is incomplete, the applicant shall be contacted for additional information or documentation for determining eligibility. It is the applicant's responsibility to provide evidence of eligibility in the Northway Tribe. In general, acceptable documents demonstrating proof of eligibility include copies of birth certificates, baptismal records, paternity affidavits, and adoption records. The preferred documents for proof of eligibility are birth certificates; however, other documents listed may be used depending on

individual circumstances. Applications may be deferred when there is a question of eligibility and shall not be considered denied.

- 3. Approval, Disapproval, and Deferring Applications for Lineal Descendants of Base Roll Members:** After applications have gone through the review process to determine eligibility, the Council shall approve applications for persons who prove they are lineal descendants of base roll members. The Council may disapprove or defer applications if the proof is not clear. This action may be taken by majority vote of a quorum of the Council. Council. Persons who wish to appeal may do so under the procedure outlined in Section 6 of this Code.
- 4. Approval, Disapproval, and Deferring Applications for New Natives who are not Lineal Descendants of Base Roll Members:** The Tribal Council has the authority to approve, disapprove, or defer applications for Alaska Natives or American Indians who are not lineal descendants of base roll members provided that they meet the requirements of Section 3 (E) of this Chapter. An affirmative vote of at least 5 Council members shall be required to approve such persons. The vote may be done in an executive session of the Council. Persons who wish to appeal a decision made under this subsection may do so under the procedure outlined in Section 6 of this Code.
- 5. Notification of Enrollment Decisions:** The Council, or designee, shall notify applicants within 90 days of council approval, disapproval, or deferral of their applications. Notification to applicants who are disapproved shall be made in writing through certified mail or presented in person and filing a "Statement of Service" form. Notice of disapproval shall include the reason why the applicant was disapproved and information about the appeals process.

### **C. Confidentiality of Enrollment Records**

- 1. Secured records:** All enrollment records are confidential and shall be kept in a secured area and only be accessed by the Northway Tribal Council or by persons specifically authorized by the Council, except that a list of members' names may be made available to tribal members or other parties upon approval by the Council. The preferred method of storage shall be in a fireproof safe with digital file back-up.
- 2. Special Confidentiality Arrangements:** Special confidentiality arrangements may be made for individual tribal members at their request and upon approval by at least 5 affirmative votes of the Northway Tribal Council. Third parties used to verify records in these cases shall be specifically approved by the Council.

### **D. Current Tribal Membership Roll**

- 1. Information on the Current Tribal Membership Roll:** The following information about approved tribal members shall be recorded on the Northway tribal membership roll: 1. Name in alphabetical order by last name first, followed by first name and middle name; 2. Gender; 3. Date of birth; 4. Tribal ID number; 5. Date of enrollment; 6. Mailing address; 7. Native blood degree; and 8. Whether they are a lineal descendant of a base roll member, or adopted into the Tribe. Other information may be recorded in a remark column such as whether the person has married and changed names, or passed away.
- 2. Information Changes:** Tribal members or their representatives shall be responsible for informing the Tribal Council of name, address, or other changes affecting the membership roll.

3. **Updating the Current Membership Roll:** The Northway Tribal Membership roll shall be kept updated by the tribal staff as designated by the Tribal Council.
- E. **Disenrollment:** By affirmative vote of at least 5 Tribal Council members, the Council shall have the authority to remove persons from the tribal roll and revoke the privileges of membership under the following conditions:
1. **False information:** An applicant falsifies information on the enrollment application in order to be eligible for enrollment.
  2. **Permanently Banished:** A member is permanently banished by the Northway Tribal Court from Northway because of danger to the safety of village residents.
  3. **Not Eligible:** A person is on the tribal roll but does not meet the minimum eligibility requirements established in the Northway Tribal Constitution.
  4. **Permanently Move:** New Natives who are adopted into the Northway Tribe (not lineal descendants) may be disenrolled if they permanently move out of the Village.
  5. **Dually enrolled:** Adult tribal members who are enrolled in or who enroll into another federally recognized tribe may be disenrolled from the Northway Tribe.

Appeals concerning disenrollment decisions may be made under the provisions of Section 6 of this Code.

### **Section 5. Representatives of Minors, Disabled, and Mentally Incompetent Persons**

Parents, legal guardians, or other adult tribal members as recognized by the Northway Tribal Council may represent minor children, disabled, and mentally incompetent persons.

- A. Submitting Enrollment Applications and Signing Enrollment Cards:** Parents or legal guardians may submit applications for those who cannot do so, or for their minor children and sign tribal enrollment cards on their behalf. Parents or legal guardians may not relinquish tribal enrollment or eligibility for membership in the Northway Tribe on a child's behalf.
- B. No Authority to Relinquish Membership:** Responsible adult tribal members as recognized by the Northway Tribal Council may submit applications and sign tribal enrollment cards on behalf of disabled and mentally incompetent persons who are unable to do it for themselves, but may not relinquish their enrollment.
- C. Mailings and Notifications:** All mailings, notifications and requests for appearances on behalf of applicants shall be directed to the representatives of minor children, disabled, and mentally incompetent persons.

## **Section 6. Appeals Process**

Applicants who have been disapproved or members who have been disenrolled may appeal the decision by waiting for a 2-year period and reapplying for membership.

## **Section 7. Honorary Tribal Membership**

The Northway Tribal Council may grant the title of "Honorary Tribal Member" to individual people who are special to the Tribe. Honorary memberships are restricted from voting, holding office, sharing tribal assets, and passing the title on to their descendants. Honorary memberships do not entitle people to participate in federal programs designed to benefit the welfare of Native people unless they are otherwise eligible.

## **Section 8. Amendments to the Northway Tribal Membership and Enrollment Code**

This Code may be amended by affirmative vote of at least 5 Tribal Council members. Any amendments that restrict membership qualifications shall affect future tribal membership only.

# CHAPTER 6

## COOPERATIVE AGREEMENTS

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**Section 2. State, Federal, Businesses and Organizations .....27**  
**Section 3. Representation of Northway by State and Federal Agencies or by Other Entities .....27**

### **Section 1. Intertribal Agreements**

The Tribal Council shall have the power, not inconsistent with the Northway Tribal Constitution and codes to enter into intertribal agreements for the benefit of the tribal members.

### **Section 2. State, Federal, Businesses and Organizations**

The Tribal Council shall have the power not inconsistent with the Northway Tribal Constitution and codes, to enter into agreements with the State of Alaska or other states, with the United States Federal Government, businesses, or with organizations for the benefit of the tribal members.

### **Section 3. Representation of Northway by State and Federal Agencies or any Other Entities**

All State and Federal agencies and all other entities that represent the interests of the Northway Tribe shall consult with and coordinate with the Northway Tribal Council. No entity shall receive funding on behalf of the interests of the Northway Tribe without the permission of the Northway Tribal Council.

# CERTIFICATE OF ADOPTION

This Northway Tribal Government Operations Code was submitted to a vote of the Northway Village Council at an open meeting in Northway, Alaska on March 10, 2015 and was duly adopted by a vote of six in favor of adoption and 0 against adoption, for which proper notice was provided. This Code shall supersede and replace any previously adopted ordinances/codes on these subjects. The adoption of this Code was recorded in the tribal record under resolution number 2015-11

Signatures and original document on file with Council office, signed March 10, 2015

\_\_\_\_\_ President

\_\_\_\_\_ Vice President

\_\_\_\_\_ Secretary/Treasurer

\_\_\_\_\_ Council Member

\_\_\_\_\_ Council Member

\_\_\_\_\_ Council Member

\_\_\_\_\_ Council Member