

Comments on the proposed changes to the Saint Regis Mohawk Tribes Ethics Ordinance

Boards, commissions and committees would now be covered by the Ordinance to ensure that all governance for the Tribe is uniform. This would provide the same level of accountability and transparency for everyone. Tribal employees are covered under the personnel policy. In the current document, the Ethics Commission is not bound to the same level of accountability as Tribal Council.

There are clearer rules of conduct. Added not able to accept or offer to the gifts section. The dollar amount for gifts is now nominal value instead of \$100. It is also clearly outlined what nominal value refers to. Rules on retaliation have also been added.

The amended ordinance provides for oversight for the Ethics Officer. There are also procedures for removal.

The Ethics Commission changes from a randomly selected commission for each plausible complaint to a standing commission, which hears all complaints and decides how to proceed. The Ethics Commission will also have oversight for the Ethics Officer.

In the current Ordinance, the Ethics Commission is formed by the Ethics Officer when the Ethics Officer deems a complaint is plausible. It is formed from a list of people who voted in at least five (5) tribal elections, who are randomly selected, much like jury selection. The name of the person who filed the complaint would be released to potential Commissioners to ensure that they don't have a conflict of interest. Although, all people involved would be told that the information that they would receive is confidential. What would happen if they didn't maintain confidentiality? Having a random Commission ensures that limited training takes place and that ongoing development of the Ethics Office is at the will of the Ethics Officer.

There is also a larger range of sanctions starting with public reprimand, with the strongest being public recall for election.

Amendments would be made by the Ethics Commission, not the Tribal Council, who it was designed to govern. Thus, removing Tribal Council from having any decision making capability.