

# LETTERS TO THE EDITOR

To the editor:

There are some issues that have been raised about tribal employees serving on our Tribal Council that I think need to be addressed.

First, it should not be argued that **any** member of the council, regardless of whom they work for, are free from conflicts. Every council member has friends and relatives who work for the tribe or who benefit from, or are harmed by, council decisions. Every council member faces ethical decisions on a regular basis. The Constitution does not need to be changed to deal with these conflicts, however, because it already does so.

Article V, Section 2 (I), states that, "No Tribal Council member shall vote on any matter wherein he or she or a member of his or her immediate family has a direct personal interest ..." Furthermore, our tribe already has many laws and regulations that prohibit council members from exploiting their positions. The council also has authority to legislate against future problems related to conflicts.

It is an insult to all tribal employees to suggest that, as a class, tribal employees are so prone to abusing their office that they must be prohibited from participating in government. The potential for abuse exists with every council member. Banning a whole segment of our membership from the council does not eliminate conflicts. It discriminates against tribal employees.

Second, full-time employment should not be a justification for banning anyone from sitting on our council. Over the years, many of our best council members were, and are, full-time employees. If our Constitution is amended to prohibit one class of employees from serving on the council, the door will be open for the council to ban all fully employed members from the council. Do we want to be governed by individuals who must be unemployed to serve?

Membership on the council is an important and difficult position; unemployment should not be the most important qualification for service.

Kelly Lane

To the editor:

On March 6, I testified before the Tribal Court against allowing tribal employees to serve on the Tribal Council at the same time.

I believe to change that policy, which has served us well for over 20 years, will be a grave mistake.

The Tribal Council as the tribe's executive body should be separate from tribal administration, under the general manager. To allow tribal employees to be on council would be contrary to the principle of the separation of powers.

If the policy is changed, key management positions could be filled by tribal members, i.e., the chief financial officer, staff attorney, general manager of Chinook Winds, even the tribal judge. Nothing could prevent them from running for, and being elected to, council. It's even possible that several tribal employees could end up being on council, a situation ripe for serious conflicts of interest and abuse of power.

To the editor:

I want to make a quick observation regarding the recent letters to the editor about employees of the tribe serving on the council.

I think actions to throw these laws out were long overdue. More choice for the membership in elections is always better.

If you look at the last few elections, we keep regurgitating the same candidates year after year. I think the ability of tribal employees to serve on the council will bring into the process some new candidates with fresh ideas, new attitudes, and maybe a different view of things.

To the editor:

I would like to respond to the letter in the May edition of the newsletter submitted by Bud Lane.

There was a petition submitted in 2002, which had my name on it. But I cannot take the credit for creating it. Ray Blacketer wrote it. It was dropped and was not heard in court.

In the year 2002, I was working in Central Office. At that time, I was not working directly with Tribal Council. I am now the Enrollment clerk and I realize what a conflict it can be if an employee works directly with Tribal Council.

The Enrollment Department is responsible to do the posting, which

Also, what can supervisors do when their employees claim they can't fulfill critical program responsibilities because they have essential council duties to attend to.

During the hearing, the judge said that the tribe needs to allow more educated, capable young tribal members to serve on council. I agree. But by allowing **tribal** employees to be on council, we would be shutting out hundreds of educated, capable young tribal members **who aren't employed by the tribe** who can't afford to be on council.

Furthermore, tribal employees on council would not only be paid their full salaries as employees, they will also be compensated for their work on council, receiving pay from two sources at the same time. This is "double dipping" that should not be allowed.

During the hearing, the judge said, "I think it's really a shame (the tribal members) don't recognize the number



I noticed that all of the letters in last month's newsletter appear to be within or near the 450-word limit, with the exception of Jessie Davis' letter. Is she above the rules for submission of letters to the editor and opinion pieces? I wonder if her article was submitted by the deadline applied to **all** tribal members? I wonder why her letter was not edited to fit the required limit that is applied to the rest of the membership? I think every tribal member's opinion is just as important as hers.

Jessie, in her article, talks about



Tribal Council votes on each month. This consists of recommendations for enrollment, relinquishments, blood degree changes, members removed from the rolls, and a number of other things. If I were on the Tribal Council, I feel it would be a conflict for me to present the materials and then vote on them.

After the Siletz candidate's fair, I was talking with Bud. He asked if I would appeal the right to work for the tribe and be on Tribal Council if I was elected. I said no. Being on Tribal Council is a full-time job. I said the Enrollment Department was much too busy to try and do both.

It was brought out in the conversation that if elected to Tribal Council, I

of hours you council people are putting in. I know just from my knowledge being down here, they don't give you anywhere near what you are worth. They voted you down twice, both what I consider to be very reasonable proposals."

I'm confident that the general membership will come to understand that the solution to whether tribal employees should be on council lies not in doing away with the present policy, but by adopting an adequate salary for council members. Simply changing the policy and allowing tribal employees to be on council will only make matters worse.

Finally, I would like to clarify why the BIA has been requested to conduct a constitutional election on this issue. It is because the council considers this issue of such importance that it should be decided by a vote of the people and not by a tribal judge or the Tribal Council.

Respectfully submitted,  
Jane John



conflicts of interest and council members potentially using their positions improperly. I think that Jessie's ability to get over a full-page letter to the editor expressing her own personal views, while other tribal members are held to the rules, is the exact kind of conflict she is writing about. To me it is an example of exactly what she talks about in her articles, how things get "muddled up," between **some** members of council's actions and tribal administration.

Sincerely,  
Nancy L. Simmons



could use my position to make them hire me an assistant. I said that would go against everything that I have been campaigning for.

During the candidate's fair, Bud Lane said that the Tribal Council should be a totally separate entity from the tribe. I agree.

Bud has a job that does not directly conflict with his seat on council. But we are talking about the whole tribe, not just one employee.

The rules have been working for 20 years. I feel in fairness to all tribal member employees, they should stay the same.

Thank you,  
Lorraine Y. Butler