

POKAGON BAND OF POTAWATOMI INDIANS

POKAGON BODE´WADMIK OGITCHEDAW CODE

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Section I: Title

This Code shall be known as the “Pokagon Bodéwadmik Ogitchedaw Code.”

Section II: Definitions.

Capitalized terms not otherwise defined in this Code shall have the following definitions:

- A. “Board of Directors” or “Board” – The Board of Directors of the Organization as established in Section VII.
- B. “Citizen” – A duly enrolled member of the Pokagon Band. The term Citizen shall have the same meaning as the term “member” as used in the Band’s Constitution
- C. “Constitution” - The Constitution of the Pokagon Band of Potawatomi Indians adopted by the Pokagon Band Citizens in a Secretarial Election conducted on November 1, 2005 and deemed approved by the Secretary of the Interior by operation of law on December 16, 2005.
- D. “Committee Procedures Handbook” – The Pokagon Band’s Committee Procedures Handbook.
- E. “Council” or “Tribal Council” - The governing body of the Pokagon Band of Potawatomi Indians.
- F. “Director” – Any member of the Board of Directors.

- G. “Honorarium” – an honorary, ceremonial, gratuitous payment of money from the Board to an Organizational Member or an Honorary Member in recognition of service to the Organization.
- H. “Honorary Member” – a person who has honorary membership in the Organization pursuant to Section XII.
- I. “National Guard”– The United States Air National Guard, United States Army National Guard, as well as the Air National Guard and Army National Guard of any State.
- J. “Ogitchedaw” – A Pokagon Band Citizen who is a Veteran.
- K. “Open Meetings Act” – The Pokagon Band’s Open Meetings Act.
- L. “Organization” – The Pokagon Bode´wadmik Ogitchedaw, the committee created by this Code.
- M. “Organizational Member” – A duly admitted member of the Organization; provided, however, that this shall not include any Honorary Member admitted pursuant to Section XII.
- N. “Organizational Membership” – The duly admitted members of the Organization; provided, however, that this shall not include any Honorary Member admitted pursuant to Section XII.
- O. “Pokagon Band” or “Band” – The Pokagon Band of Potawatomi Indians.
- P. “Reserves” – A military reserve force of any branch of the United States military and any State Defense Force.
- Q. “Veteran” – One who actively served in any branch of the United States military or one who served in the Reserves.
- R. “Weekaun” – A nonvoting advisor to the Board of Directors.

Section III: Findings and Declarations.

The Tribal Council of the Pokagon Band of Potawatomi Indians finds and declares as follows:

- A. The Band is a sovereign, federally recognized Indian tribe, as reaffirmed by P.L. 103-323 (25 U.S.C. § 1300j et seq., the “Pokagon Restoration Act”), enacted September 21, 1994, and is organized under a Constitution.
- B. In accordance with the Pokagon Restoration Act and pursuant to Article IX of the Constitution, the Tribal Council of the Pokagon Band of Potawatomi Indians is the duly recognized governing body of the Band.
- C. The Tribal Council is vested with those sovereign powers of the Band that are not inconsistent with any provisions of the Constitution, including without limitation those

enumerated powers set forth in Article IX, Section 2, of the Constitution, which authorizes the Tribal Council to “establish subordinate governmental committees” and to “delegate to such committees...the power to manage the governmental programs, activities, and property” of the Band.

- D. The traditional historical role of the Ogitchedaw is that of a warrior, one who fought for one’s tribe.
- E. The Tribal Council recognizes the contributions and sacrifices the Ogitchedaw have made to the Pokagon Band and their important role in the Pokagon Band community.

Section IV: Purpose.

The Band hereby establishes the Pokagon Bode’wadmik Ogitchedaw as a subordinate committee of the Tribal Council to:

- A. Promote and celebrate the Ogitchedaw.
- B. Honor the past Ogitchedaw and preserve honor for the future Ogitchedaw.
- C. Consult with the Tribal Council regarding policies, programs, and concerns regarding the Ogitchedaw.
- D. Establish and vest a Board of Directors of the Pokagon Bode’wadmik Ogitchedaw with rights, powers and obligations provided in this Code.

Section V: Establishment of the Pokagon Bode’wadmik Ogitchedaw.

- A. Creation. The Organization is hereby established under this Code, which shall be governed and managed by the Board of Directors, subject in all instances to the terms, provisions, and limitations set forth in this Code.
- B. Location. The Organization shall maintain its headquarters at a suitable location within land owned by the Pokagon Band.
- C. Instrumentality of the Band. The Organization is an instrumentality of the Band and shall be clothed with all the rights, privileges, and immunities of the Band, including but not limited to the sovereign immunity of the Band from suit absent express consent from Tribal Council. The Board of Directors shall be deemed officers of the Band government and shall be immune from suit when acting in their official capacity to the fullest extent permitted by law.
- D. Allocation of Authority. All rights, powers, or privileges not expressly delegated herein to the Organization shall be reserved to and held by the Tribal Council.

Section VI: Powers.

A. Powers. The Organization shall act within the limits of the authority expressly delegated to it by the Council. The Organization shall have the following powers and duties:

1. Engage in traditional Ogitchedaw roles including, but not limited to:
 - (i) Caring for the Eagle staff;
 - (ii) Serving as a Color Guard or Honor Guard at funerals, parades, and other ceremonies;
 - (iii) Serving as role models in leaders and citizenship for Pokagon Band youth;
 - (iv) Performing funeral rites;
 - (v) Performing flag retirement ceremonies; and
 - (vi) Hosting a Veteran's Day feast.
2. Educate the Pokagon Band community regarding the history, traditions, and values of the Ogitchedaw.
3. Act as a referral source for Ogitchedaw seeking programs and services designed to assist in reintegrating to civilian life from active duty.
4. Assist Ogitchedaw in their efforts to obtain military records.
5. Appoint or otherwise select delegates, committee members, or other such representatives to tribal, national, state or local organizations promoting Veterans affairs.
6. Request administrative or clerical assistance of Pokagon Band administrative or clerical employees, regarding official Board matters, provided the request:
 - (i) Is needed for a matter pending before the Board;
 - (ii) Is directed to the head of the department or program from which such assistance is being sought;
 - (iii) Reasonably describes the specific assistance sought and the specific reason(s) for requesting the assistance;
 - (iv) Can be fulfilled with minimal interference with current priorities and responsibilities of the department or program; and
 - (v) Such request doesn't conflict with Pokagon Band law, regulation, policy, or procedure.

7. Through the Board of Directors and consistent with the requirements of this Code, admit members to the Organization and if necessary remove members from the Organization.
8. To the extent not inconsistent with anything herein, to engage in further activities that further any or all of the purposes for which the Organization is organized.
9. To provide for Honorariums and reimbursement for reasonable and necessary travel expenses incurred in accordance with the Band's Travel Policy (reimbursement shall be limited to meals, travel, and lodging), for any Organizational Member or Honorary Member, where such person:
 - (i) Participates in an Organizational event or activity at the request of the Board of Directors; and
 - (ii) Has provided the Band with a completed IRS W-9 Form or W-8 Form.
10. To make financial donations to Citizens, veterans and charitable organizations, and other organizations that serve or assist veterans; provided, however, that:
 - (i) Such financial donations are made pursuant to a written policy approved by the Board of Directors and the Tribal Council; and
 - (ii) Any one donation shall not exceed \$1,500.
11. To make financial donations to the Band's Department of Education for purposes of scholarships to Citizens, provided that such financial donations are made in accordance with an approved annual budget.

B. Limitation on Powers and Authority. The Organization shall have no authority to exercise any regulatory or legislative power. The Organization shall be nonpolitical and shall not disseminate partisan principles or promote the candidacy of any person seeking public office at the Tribal, state, or federal level.

Section VII: Board of Directors

- A. Establishment. There is hereby established a Board of Directors, whose purpose is to manage and carry out the activities of the Organization. The Board of Directors shall act within the limits of the authority expressly delegated to it by the Council in this Code.
- B. Number. The Board of Directors shall consist of four (4) to six (6) members (each, a "Director") appointed by the Tribal Council. One such member, as mandated by Article X, Subsection 5(c)(iv) of the Constitution, shall be the Tribal Council Chairperson or a Tribal Council Member designated by the Tribal Council Chairperson, and he or she shall serve as a non-voting ex-officio member of the Board of Directors, who shall not be counted in determining the number required for quorum or whether a quorum is present.

When appointing to the Board, the Tribal Council shall specify to which office the appointee is being appointed. No Director shall simultaneously occupy more than one office.

- C. Offices. The Board of Directors shall consist of the following three (3) offices: Wkema, Secretary, and Treasurer; provided, however, that the Board of Directors may establish up to two member-at-large positions that are filled by appointment of the Tribal Council. The Wkema shall be a voting member of the Board.
- D. Weekaun. The Board of Directors may appoint a Weekaun. If the Board appoints a Weekaun, such person shall act as a non-voting advisor to the Board of Directors, whose presence shall not be counted in determining the number required for quorum or whether a quorum is present. If the Weekaun is himself or herself also an Organizational Member, he or she is not prohibited from exercising any voting right open to the Organizational Membership. The Weekaun shall meet all eligibility requirements applicable to Directors. The Weekaun serves at the pleasure of the Board of Directors and may be removed upon majority vote of the Board. The Weekaun shall attend all Board meetings as an advisor, shall assist the Board in fulfilling its responsibilities, and shall be bound by all requirements applicable to Board Members, provided that the Weekaun shall not vote or otherwise exercise the authority of a Board Member.
- E. Qualifications for Directors. A Director must be an Organizational Member; provided, however, that the Tribal Council Chairperson (or the Council member designated by the Tribal Council Chairperson) serving as non-voting ex-official member of the Board of Directors, need not be an Organizational Member.
- F. Term. Each Director shall serve a term of three (3) years, provided that in order to maintain staggered terms, the initial Wkema shall serve an approximately three year term, the initial Treasurer shall serve an approximately two year term, the initial Secretary shall serve an approximately one year term, and the remaining member-at-large positions, if created, shall each serve an approximately one year term, and the term of a Tribal Council member serving as a non-voting ex-officio member shall be coterminous with his or her term of office on the Tribal Council. Terms shall remain staggered for the remainder of the Board's existence. There is no limit to the number of terms an individual may serve as Director.
- G. Successor. Unless and until he or she resigns from office or is removed from office by the Tribal Council in accordance with the requirements of Section IX of this Code, each Director shall hold office until his or her successor is appointed by the Tribal Council. No Director may exercise the authority of his or her office until he or she is duly installed in office.
- H. Initial Directors. The initial Directors shall be appointed by the Tribal Council.
- I. Stipend and Reimbursement. Directors and the Wekaun shall be entitled to reimbursement for actual and reasonable expenses incurred in the discharge of their duties, provided that such reimbursement shall be in accordance with the Band's Travel

Policy. Directors and the Wekaun shall not be compensated for service on the Board other than for such expenses unless pursuant to a plan of compensation approved by the Tribal Council prior to its implementation. The Council may, in its discretion, require the Salary Commission to evaluate the Director positions and recommend a compensation plan to the Council for approval.

- J. Board Members Not Liable. No Director shall be personally liable to any creditor of the Organization by reason of his or her status as a member of the Board or by reason of acts done or not done in the course of his or her official duties.
- K. No Self-Dealing. All Directors and the Weekaun shall be subject to and comply with the Band's Code of Ethics.
- L. Records. The Board shall keep complete and accurate records of all meetings and actions taken. Any meeting records shall be maintained as the exclusive property of the Pokagon Band, the originals of which shall be kept at the official offices of the Band. All meeting records of the Organization shall be available to the public as provided by the Pokagon Band Freedom of Information Act.

Section VIII. Duties of Individual Directors.

- A. All Directors shall be responsible for being fully informed regarding issues before the Board. Each Director shall attend all Board meetings. Each Director, including the Wkema or other presiding Director, shall vote on each matter up for vote while in attendance at an Organization meeting, unless prohibited by the Band's Code of Ethics or due to an absence from previous relevant meetings.
- B. Wkema. The Wkema shall:
 - 1. Represent the Organization;
 - 2. Preside at all meetings of the Board;
 - 3. Call meetings of the Board, in accordance with this Code and any applicable Pokagon Band law;
 - 4. Submit at each meeting such recommendations and information as he or she considers proper concerning the affairs and policies of the Organization; and
 - 5. Perform all other duties as may be directed by the Board.
- C. Secretary. The Secretary shall:
 - 1. Represent the Organization;
 - 2. Cause to be created and maintained minutes of all meetings of the Board of Directors;

3. Cause to be created and record all decisions, actions and votes of the Board of Directors;
4. Cause to be given notice of all meetings of the Board of Directors;
5. Be the custodian of and properly keep all the minutes and records of the Board of Directors;
6. Review and provide recommendations regarding applications for membership in the Organization;
7. Prepare, maintain, and be the custodian of the Organizational Membership list and the list of Honorary Members;
8. Preside at all duly called meetings in the absence of the Wkema and the Treasurer; and
9. Perform other duties as directed by the Board of Directors.

D. Treasurer. The Treasurer shall:

1. Represent the Organization;
2. Monitor the fiscal matters of the Organization;
3. Cause to be kept full and accurate accounts of receipts and disbursements in books belonging to the Organization;
4. Render to the Board of Directors, at each regular meeting or as otherwise required, a financial statement with an account of all transactions and the financial condition of the Organization;
5. Develop and present to the Board of Directors an annual budget to be submitted to the Finance Board for approval;
6. Perform the duties of the Wkema in the absence of the Wkema; and
7. Perform other duties as directed by the Board of Directors.

E. Member-at-Large. Each Member-at-Large shall:

1. Represent the Organization; and
2. Perform such other duties as may be specified by this Code or as required by the Board of Directors.

Section IX. Removal, Resignation, Recall, and Vacancy.

- A. Removal. The Board of Directors may, by 2/3 majority vote, request that the Tribal Council remove a Director, or the Tribal Council may, on its own initiative, remove any Director. All Directors shall serve at the pleasure of the Tribal Council.
- B. Resignation. Any Director may resign at any time by giving written notice to the Wkema or to the Secretary of the Board and the Tribal Council Secretary or Tribal Council Chairperson, which shall take effect at the time specified therein. If no time is specified, the resignation shall take effect immediately. Unless otherwise specified in the resignation, acceptance of such resignation shall not be necessary to make it effective.
- C. Vacancies.
 - 1. A Director who is recalled, is removed, no longer meets the qualifications for his or her office, or dies, shall automatically be deemed to be vacant.
 - 2. Vacancies on the Board shall be filled by the Tribal Council for the balance of the unexpired term.

Section X. Meetings

- A. Quorum. The Board shall act only at a duly called meeting with a quorum present.
 - 1. At all meetings of the Board, a majority of the filled seats of the Board shall constitute a quorum for the transaction of business, provided there are at least two (2) filled seats.
 - 2. If a quorum is not present, the presiding Director shall adjourn the meeting. Any business on the agenda for the adjourned meeting shall be placed on the agenda for the next scheduled meeting.
- B. Decisions. A majority vote of the Directors present shall decide any matter properly presented in a duly called meeting, unless the matter is one for which a different vote is required by this Code or other applicable Pokagon Band law. The Board may act through resolutions or motions.
- C. Those Entitled to Vote and Conflict of Interest. Directors shall abstain from voting in conflict-of-interest cases as defined by the Code of Ethics. Directors may abstain from voting due to absence from previous relevant meetings.
- D. Open Meetings. All meetings of the Board shall be held in compliance with the Band's Open Meetings Act.
- E. Location. Meetings of the Board of Directors may be held at any location within or outside of land owned by the Pokagon Band as directed by a majority of the Board; provided, however, that the preference is for meetings to be held within land owned by the Pokagon Band.

- F. Participation. Directors may participate in meetings by teleconference, videoconference, or other form of communication that allow participants to speak and hear each other.
- G. Regular Meetings. Regular Meetings of the Board shall be held at least quarterly. The Board shall provide by resolution the time and place for holding Regular Meetings.
- H. Special Meetings.
 - 1. The Wkema may call Special Meetings of the Board when necessary or prudent to address any specific matter between regular meetings.
 - 2. Shall be called and conducted by the Wkema within ten (10) calendar days, upon the written request of two Directors. The written request shall state the purpose(s) of the proposed meeting. If the Wkema refuses to call and conduct such meeting, then one of the two Directors who requested the meeting shall call and conduct the meeting.
- I. Notice of Meetings. Notice of any regular or special meeting of the Board shall be provided in accordance with the Open Meetings Act.
- J. Closed Meetings/Confidential Matters. The Board may meet in a closed session as permitted by the Band's Open Meeting Act. If any part of a meeting is a closed meeting, the meeting notice shall indicate which portion of the meeting is closed and the description of the closed items shall be sufficiently limited as to maintain the confidentiality of the matter.

Section XI. Membership in the Organization.

- A. Membership Eligibility. Membership in the Organization shall be open to any person who:
 - 1. Is a duly enrolled Pokagon Band Citizen who is at least 18 years of age; and
 - 2. Possesses a discharge other than dishonorable from the Army, Navy, Marine Corps, Coast Guard, Air Force, National Guard, or Reserves of the United States, or is currently serving in the National Guard or any branch of the United States military reserves; provided, however, that if one has a dishonorable discharge, he or she may be admitted at the discretion of the Board of Directors upon the 2/3 majority approval of the Board of Directors.
- B. Application for Membership in the Organization.
 - 1. Application for membership in the Organization shall be made on an application form approved by the Board of Directors. An applicant may obtain an enrollment form by oral or written request to the Secretary.

2. Any person eligible for membership in the Organization must file a completed enrollment application with the Secretary. Applications for enrollment may be filed by hand delivery, private courier, U.S. Mail, or facsimile.
3. Each enrollment application must be completed in its entirety and must contain sufficient information to permit the Secretary to properly determine the applicant's eligibility for enrollment. Applications must include, at a minimum, the following:
 - (i) The applicant's name;
 - (ii) The applicant's address;
 - (iii) The applicant's telephone number;
 - (iv) The applicant's Pokagon Band enrollment number;
 - (v) If the applicant is a Veteran, a United States Defense Department Form 214, Certificate of Military Services, or other form (including, but not limited to DD Form 2, NGB-22, DARP Form 249-2-E, ARPC Form 606, NRPC 1070-124, AF-526, NAVMC-798, CG-4175) issued by the United States military proving the applicant's military service and discharge other than dishonorable;
 - (vi) If the applicant is currently serving in the National Guard or the Reserves, then the applicant must provide a Statement of Service on military letterhead signed by the adjutant, personnel officer or commanding officer of the unit, or other form (including, but not limited to DD Form 2, NGB-22, DARP Form 249-2-E, ARPC Form 606, NRPC 1070-124, AF-526, NAVMC-798, CG-4175) issued by the National Guard or the Reserves proving the applicant's current military service; and
 - (vii) The signature of the applicant.

C. Processing the Application. The applicant shall return the completed application to the Secretary, who shall, within ninety (90) days of the date of receipt:

1. Stamp the application form with the date on which it is received;
2. Ensure that the application is complete. If the application is not complete, the Secretary shall notify the applicant of what is required to complete the application;
3. Verify the applicant's enrollment with the Pokagon Band;
4. If, after review of the applicant's application and verification of the applicant's enrollment with the Band, the Secretary determines that the applicant is eligible for membership in the Organization, the Secretary shall provide a recommendation to the Board of Directors that the application be approved;
5. If, after review and verification of the applicant's application, the Secretary determines that the applicant is not eligible for membership in the Organization, it

shall provide a recommendation to the Board of Directors that the application be denied;

6. The Board of Directors shall then accept or reject the applicant's application, based solely on the merits of the Secretary's recommendation;
7. All decisions of the Board of Directors regarding the acceptance or rejection of an applicant's application shall be final, subject to appeal to the Tribal Council;
8. The Board shall notify the applicant of its decision by U.S. mail. If the applicant is denied membership, the notice shall state the specific reason(s) the applicant is not eligible for membership. The notice shall state that the applicant may re-apply for membership if he or she has any relevant new material, or may appeal the decision denying membership in accordance with the provisions of this Code. The notice shall include a description of the appeal procedure, as stated below in item number 9; and
9. An applicant who is denied membership may appeal such decision to the Tribal Council by sending a written request for an appeal signed by the applicant along with a copy of the notice described above in item number 8 to the Chairperson of the Tribal Council, by U.S. mail within sixty (60) days of the date of the notice from the Board. The applicant shall include with the request for appeal a statement explaining why the decision denying membership in the Organization to the applicant was in error and copies of any documents that support the explanation, provided such documents were provided to the Board for review when considering the application. The Wkema shall provide the Tribal Council with administrative assistance to coordinate the appeal process and facilitate a prompt decision. The applicant may represent himself or herself or may engage legal counsel at the applicant's expense. The Tribal Council shall provide the applicant with a copy of its decision within ten (10) business days after reaching a decision. The Board's decision may only be reversed by the Council upon the affirmative vote of at least eight (8) Tribal Council members finding by clear and convincing evidence that the necessary facts for the Board's action, or failure to act, were not supported by reasonable evidence, or that the Board applied the membership eligibility standards in this Code incorrectly. The decision of the Tribal Council shall be final and not subject to appeal.

D. Loss of Membership.

1. Relinquishment. An Organizational Member may relinquish his or her membership in the Organization at any time by providing signed written notice to the Wkema or Secretary. The relinquishment shall take effect at the time specified in the notice or if no time is specified, the relinquishment shall take effect immediately. A copy of the notice shall be provided to the Secretary.

2. **Removal.** An Organizational Member may be suspended or expelled by 2/3 majority vote of the Board that clear and convincing evidence that the member engaged in misconduct that threatens the reputation, integrity, or public image of the Organization. Removal of a member shall take place only after the member has been given at least 15 days written notice of the charges and a reasonable opportunity to provide a defense against the charges or an explanation, which may be in writing or in person at a special session of the Board at which the removal action is on the agenda. The member may defend himself or herself at said session or he or she may, at his or her expense, engage legal counsel. The Board shall provide the member with a copy of its decision within 10 business days after reaching a decision and a description of the appeal procedure. The decision of the Board shall be final, subject to appeal to the Tribal Council.
3. **Appeal of Removal.** One who wishes to appeal his or her removal from the Organization must provide written notice of such to the Chairperson of the Tribal Council within 45 days of the Board's notice of its decision. If the written notice is received within the time specified in this subsection, then the Council shall schedule a hearing to occur within 45 days of Council's receipt of the notice or as soon thereafter as reasonably possible. The member may defend himself or herself at said hearing or he or she may engage legal counsel at his or her own expense. The Tribal Council shall provide the member with a copy of its decision within ten (10) business days after reaching a decision. The Board's decision may only be reversed by the Council upon the affirmative vote of at least eight (8) Tribal Council members finding by clear and convincing evidence that the necessary facts for the Board's action were not supported by reasonable evidence, or that the Board applied the removal standards in this Code incorrectly. The decision of the Tribal Council shall be final and not subject to appeal.
4. **Return of Property.** Upon a final decision to remove, the person subject to the removal decision shall promptly return to the Board all property provided to the Organizational Member by the Organization that bears the Organization's name or seal.

E. Voting.

1. **Board Must Authorize.** Upon approval by motion or resolution of the Board of Directors, the Organizational Members present at such duly called meeting may vote on a specific matter before the Board at such duly called meeting, excluding any matter involving:
 - (i) Organizational Membership and Honorary Membership approval, relinquishment, or removal;
 - (ii) Removal of a Director;
 - (iii) Any matter involving confidential information;

- (iv) The payment of any Honorarium; and
 - (v) The review or approval of any donation.
2. Notation in Minutes. If any motion or resolution is voted on by the Board of Directors and the Organizational Members, the minutes shall reflect such.
 3. Decision. A matter upon which the Organizational Members may vote shall be decided by a majority vote of the sum of the Directors and Organizational Members present, unless the matter is one for which a different vote is required by this Code or other applicable Pokagon Band law.
 4. Conflict-of-Interest. Organizational Members shall abstain from deliberation and voting in matters in which he or she has a conflict-of interest, as defined by the Code of Ethics.

Section XII. Honorary Membership in the Organization

- A. Establishment. In recognition of those individuals who through their conduct have demonstrated a commitment to the Organization or the purposes of the Organization, but are not eligible to be an Organizational Member solely because such individuals are not Band Citizens, there is hereby established a category of Honorary Member of the Organization.
- B. Eligibility. In order to be eligible for consideration as an Honorary Member of the Organization, one must be nominated by an existing Member of the Organization, and meet the criteria established at Subsection XI(A)(2) of this Code, provided, however, that an Honorary Member may not have a dishonorable discharge. Additionally, an Honorary Member must also meet one of the following criteria:
 1. Spouse of Band Citizen. The individual must be lawfully married to a Pokagon Band Citizen, or be the surviving spouse of a deceased Pokagon Band Citizen and has not remarried;
 2. Parent of Band Citizen. The individual must be a biological or adopted parent of a Pokagon Band Citizen; or
 3. Native American. The individual must be a member of a state, historic, or federally recognized Indian tribe, or an Indian tribe recognized by Canada.
- C. Application. A person seeking Honorary Membership in the Organization shall complete and return an application form approved by the Board of Directors. An Application for Honorary Membership shall, at a minimum, contain the information identified in Subsection XI(B) of this Code; provided however, that:

1. If the applicant is a spouse or surviving spouse of Band Citizen, the Applicant shall include the spouse's enrollment number;
2. If the applicant is a member of a state or federally recognized Indian tribe, or an Indian tribe recognized by Canada, the applicant shall include the name of the applicant's tribe and his or her enrollment number; and
3. If the applicant is a biological or adopted parent of a Band Citizen, the applicant shall include the name(s) and enrollment number(s) of the applicant's children that are Band Citizens.

D. Processing the Application. An application for Honorary Membership in the Organization shall be processed in accordance with Section XI(C) of this Code; provided, however, that:

1. If the applicant is claiming eligibility pursuant to subsection XII(B)(1) of this Code, the Secretary or the Secretary's designee shall verify the applicant is a spouse of a Pokagon Band Citizen or the surviving spouse of a deceased Pokagon Band Citizen and has not remarried;
2. If the applicant is claiming eligibility pursuant to subsection XII(B)(2) of this Code, the Secretary or the Secretary's designee shall verify the applicant is a parent of a Pokagon Band Citizen;
3. If the applicant is claiming eligibility pursuant to subsection XII(B)(3) of this Code, the Secretary or the Secretary's designee shall verify the applicant's enrollment in such Indian tribe and that such Indian tribe is state or federally recognized, or recognized by Canada; and
4. The applicant shall not have any ability to appeal a denial of an application for Honorary Membership.

E. Privileges. Honorary Membership in the Organization is largely ceremonial and therefore, the privileges to which Honorary Members are entitled are strictly limited to those provided in this Subsection XII(E). An Honorary Member of the Organization may:

1. Attend all open meetings of the Board of Directors;
2. Participate in Organizational events and activities; and
3. Receive, from the Organization, Honorariums and reimbursement for reasonable and necessary travel expenses incurred in accordance with the Band's Travel Policy (reimbursement shall be limited to meals, travel, and lodging), and in accordance with Subsection VI(A)(9).

F. Limitations on Honorary Membership. While not an exhaustive list of the limitations on Honorary Membership, the following limitations are applicable to Honorary Membership:

1. No Honorary Member may serve on the Board of Directors;
2. No Honorary Member may exercise any voting right that may be open to the Organizational Membership;
3. No Honorary Member may have access to or possess any confidential information of the Board of Directors; and
4. Honorary Members may not comprise more than 20% of the total Membership of the Organization.

G. Loss of Honorary Membership.

1. Relinquishment. An Honorary Member may relinquish his or her Honorary Membership in accordance with the provisions provided at Section XI(D)(1) of this Code.
2. Removal. An Honorary Member of the Organization may be removed for any or no reason, by majority vote of the Board or the Tribal Council. Written notice and a copy of the removal decision shall be provided to the Honorary Member within 10 business days of such decision. An Honorary Member shall have no ability to appeal any removal decision, whether such decision is by the Board or the Tribal Council.
3. Return of Property. Upon a final decision to remove, the person subject to the removal decision shall promptly return to the Board all property provided to the Organizational Member by the Organization that bears the Organization's name or seal.

Section XIII. Finances and Reporting

- A. Fiscal Year. The Organization's fiscal year shall be the same as that of the Band.
- B. Funding. Each year the Organization shall produce a detailed proposed annual budget for the Organization's subsequent fiscal year, which shall include a specific line item for Honorariums. The Organization shall submit an annual budget to the Band's Finance Board for review and approval within the budget timelines established by the Band. Expenditures may only be made in accordance with the Organizational budget approved by the Tribal Council.
- C. Honorarium. Annually, the Board shall adopt, by motion or resolution, a range of the minimum and maximum dollar amount of the Honorariums the Board may provide. In

determining the dollar amount of any specific Honorarium within the range adopted by the Board, the Board shall consider, at a minimum, the following factors: the amount in the budget, and the demands of service for the particular Organizational event or activity, such as time and distance.

- D. Limitation on Solicitation. The Organization may not solicit funds from any source other than the Band, unless expressly provided otherwise by Tribal Council resolution. All requests from the Board to the Tribal Council for authorization to solicit funds from a source other than the Band shall include, at a minimum, the Board's proposed time, date, location, and method of solicitation.
- E. Reporting. The Board shall develop and submit reports to the Tribal Council in accordance with the requirements of the Committee Procedures Handbook.

LEGISLATIVE HISTORY

THE "POKAGON BODE'WADMIK OGITCHEDAW CODE" WAS ENACTED ON JUNE 24, 2010 BY TRIBAL COUNCIL RESOLUTION NO. 10-06-24-04; AMENDED DECEMBER 1, 2014 BY TRIBAL COUNCIL RESOLUTION NO. 14-12-01-02; AMENDED JANUARY 25, 2016, BY TRIBAL COUNCIL RESOLUTION NO. 16-01-25-02; AMENDED DECEMBER 12, 2017 BY TRIBAL COUNCIL RESOLUTION NO. 17-12-12-06.