



NEWTOK TRADITIONAL COUNCIL

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United States Department of the Interior

Office of Hearing and Appeals

Interior Board of Indian Appeals

801 North Quincy Street, Suite 300

Arlington, VA 22203

Re: Newtok Traditional Council Constitutional By-Laws

August 29, 2013

Dear Gentilepersons,

We the Newtok Traditional Councils, with the best of our knowledge and in good faith, would like to express our most concern about what B. I.A. did making a decision over the "New" Council without contacting the Old Council. Most of all, who is to be a governing body regarding ISDA Contract related action authorizing P.L. 638 Contracts.

Yes, the "New" Council did use the Newtok Traditional Council Constitutional By-laws maybe they forgot to read before they act on the village laws of our traditional laws, our values, and our sovereign rights. We don't like the word; "old" maybe for this word BIA made a decision without our knowledge and betrayed our Elders of the village of Newtok.

We Believe both the BIA and the what BIA called a New Council and its members has violated the NTC Constitutional By-Laws by acting without the approval of Traditional Council under the:

ARTICLE XI

Section I. Power. The qualified voters of the Newtok Traditional Council shall have the right to propose and revoke ordinances and resolutions that does not apply in the Constitution, ~~through~~ a valid petition signed by at least fifty percent (50%) of the qualified voters. The petitions shall be submitted to the Newtok Traditional Council. The Council will call an election to be held by the election committee no later than sixty (60) days after the petition. If the Council fails to act on the petition, the ordinance or resolution will be presented before the Newtok Village Membership meeting where a quorum has been established shall be required to adopt or revoke such ordinances or resolutions.

Section II. Vote. The Council, by a positive vote of at least four (4) of its members, may refer issues to the Newtok Village Membership election; the election will be set within sixty (60) days of the Council decision. An affirmative vote by a majority of the eligible votes at the Newtok Village membership meeting with a quorum established will be required to decide on the Newtok Village position on the issue submitted to a vote or poll within the actions of the voters or expires on its term.

We would say maybe an Acting Regional Director acted without the consent of the BIA called "Old" Council. With its members; Mr. Moses Carl, Mr. Walter Kassaiuli, Mr. Louie Patrick, Mr. Andy T. Patrick, Mr. Joseph John Sr., Mr. Joseph Inakak, and Mr. George Tom.

We believe the New Council did what was right for the Newtok Village, but after reading and trying to understand the letter that was sent from BIA our of Anchorage Office not from Juneau BIA Office. We believe as an Old Council we believe as elected by Newtok Members has a voice and our voice needs to be heard.

ARTICLE XI

Section III. Vote and Referendum Decision. The decision of the voters in both initiative and referendum elections shall be binding on the Council and the Newtok Village members and shall remain in full force until amended or valid by action of the voters or expires by its terms.

We the Newtok Traditional Council has been from the past governing the village of Newtok Alaska the Traditional Council was not born at year 2012. We as a whole are the tribe and in our tradition, there is NO WORD, "old or new"! Old and New are (one) in our spirit.

Under the Indian Self Determination acts. We and our member at the Village of Newtok, Alaska, under the act, have a right. God given right to Determine who is to be a governing body. We the Newtok Traditional Council and our village members are sovereign, Native People. We have a power to act as a governing body for the community village of Newtok Alaska, to govern ourselves under our own traditional customary laws or the federal law. We hate to use the word "treason", we the Traditional Council so called the old councils believe there is someone out siders involved. We the old council will not name names because we believe in our tradition.

Treason-1. The offense of acting to overthrow one's government or to harm or to kill its sovereign.

2. A violation of allegiance to one's sovereign or t one's state.

3. The betrayal of a trust or confidence; breach of faith; treachery.

We the tribal Council had asked the BIA officials to come out and meet with us, with their help we wanted to straighten out the dispute between the old and the new Council. We are the tribe and we as a tribe have the right to know what is going on in our village because this New Council will not listen to us when we invite them for joint meeting. So we ask BIA officials to come out here. This so called New Council will not listen to the old council but where was BIA.

Signed:

Moses M. Carl, President



Walter A. Kassaiuli, Vice President



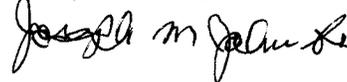
Andy T. Patrick, Secretary



Louie Patrick, Treasurer



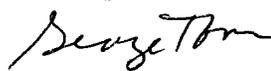
Joseph John Sr., Member



Joseph Inakak, Member



George Tom, Member



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