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Date

ORDINANCE NO. \_\_\_\_\_(2016)

WHEREAS, the Charter and Governing Document authorizes and empowers the Eastern Band of Cherokee Indians (EBCI) Tribal Council to adopt laws and regulations for the general government of the Tribe. Charter and Governing Document, sect. 23 (Sept. 5, 1995) *see also* C.C. §117-10.

WHEREAS, the EBCI Tribal Council constitutes the Eastern Band of Cherokee Indian's Legislative Branch of government. C.C. §117-10.

WHEREAS, the Eastern Band of Cherokee Indians authorizes the Principal Chief and the Vice-Chief to represent and defend the Tribe's rights, interests, and lands and funds before any legislative committee or body of the federal or state governments. C.C. §117-2.

WHEREAS, the original resolution which gave the Principal Chief and Vice-Chief the authority to represent and defend the Tribe before federal or state legislative bodies also authorized a Tribal Council member to accompany the Principal Chief or Vice-Chief if requested. Eastern band of Cherokee Indians Tribal Council Resolution No. 96 (1938). EXHIBIT A.

WHEREAS, the Eastern Band of Cherokee Indian's rights, interest, lands and funds impacts Tribal Council's authorities; and

WHEREAS, currently, the Cherokee Code fails to address Tribal Council approval of issues before the federal or state government; and

WHEREAS, there is a need to ensure a unified voice for the tribe is pursued and publically presented when issues on a state or federal level occur; and

WHEREAS, there is an additional need to ensure a unified voice for the tribe is maintained when legislation is submitted on a state or federal level.

NOW, THEREFORE, BE IT ORDAINED by the Eastern Band of Cherokee Indians in Tribal Council Assembled, at which a quorum is present that the Tribal Council of the Eastern Band of Cherokee Indians does hereby amend the Cherokee Code to include a new section, Cherokee Code §117-49, as follow:

Chapter 117 – Tribal Government  
Article IV. – Miscellaneous

Sec. 117-49. – Lobbyists and Outside Legislation

- (a) Any lobbyist hired by tribal government, tribal entities or tribal organizations must do so by way of approval through a resolution of Tribal Council.
- (b) Any legislation presented at the state or federal level must be approved through a resolution of Tribal Council.

BE IT FINALLY ORDAINED that all ordinances inconsistent with this ordinance are rescinded, and that this ordinance shall become effective when ratified by the Principal Chief.

*Submitted by: Anita Lossiah, Yellowhill Representative  
and Alan B. Ensley, Yellowhill Representative*