

TABLED

CHEROKEE COUNCIL HOUSE
CHEROKEE, NORTH CAROLINA

Date: NOV 12 2020

ORDINANCE NO.: 331 (2020)

An ordinance correcting a reference in Cherokee Code § 49-2.

WHEREAS, the Eastern Band of Cherokee Indians is duly authorized to establish and regulate membership and enrollment under its sovereign powers as a federally recognized Indian Tribe; and

WHEREAS, Chapter 49 of the Cherokee Code sets out the requirements for membership with the Tribe and the enrollment application process; and

WHEREAS, Cherokee Code Section 49-2 sets out the qualifications for enrollment; and

WHEREAS, a new section was created by Ordinance #103 (2018) for the correction of blood quantum records; and

WHEREAS, this new section was codified as Cherokee Code 49-9, which moved the “loss of membership” section to Cherokee Code 49-10 and the “conflicting ordinances and resolutions” section to Cherokee Code 49-11; and

WHEREAS, it has come to the attention of the Enrollment Committee that the reference to the “loss of membership” section in C.C. 49-2 was not changed to reflect the new codification numbers and therefore an simple amendment is needed.

NOW THEREFORE BE IT ORDAINED, by the Tribal Council of the Eastern Band of Cherokee Indians, in council assembled, at which a quorum is present, that Cherokee Code Chapter 49 is hereby amended as follows:

Sec. 49-2. – Qualifications for enrollment.

The membership of the Eastern Band of Cherokee Indians shall consist of the following:

- (a) All persons whose names appear on the roll of the Eastern Band of Cherokee Indians of North Carolina, prepared and approved pursuant to the Act of June 4, 1924 (43 Stat. 376), and the Act of March 4, 1931 (46 Stat. 1518). This is the base roll of the Eastern Band of Cherokee Indians and shall be known as the Baker Roll of 1924. It is the foundation on which all enrollment decisions are made and shall not be subject to challenge or amendment as to the information contained therein. This does not affect the authority set forth in subsection ~~49-9(b)~~ 49-10(b) for disenrollment based on criteria in that section.

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48 [Subsections (b), (c), and (d) are unchanged.]
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50 **BE IT FINALLY ORDAINED, that all ordinances and resolutions inconsistent with this ordinance**
51 **are rescinded, and this ordinance shall become effective upon ratification by the**
52 **Principal Chief.**
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54 *Submitted by the Enrollment Committee*