

**CHEROKEE COUNCIL HOUSE
CHEROKEE, NORTH CAROLINA**

Date: JUN 01 2021

ORDINANCE NO.: 474 (2021)

*An ordinance clarifying documents
sufficient to update an enrolled member's enrollment file.*

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 and details of enrollment, including an enrolled member's official enrollment file and the documents contained therein; and

WHEREAS, Cherokee Code Section 49-8(c) sets out the documents enrolled members may use to update their enrollment file; and

WHEREAS, proper documentation is needed to ensure the accuracy and completeness of enrollment files; and

WHEREAS, there are multiple possible documents that could be sufficient to show that portions of an enrolled member's file should be updated, for example a change of name or a date of death; and

WHEREAS, it has come to the attention of the Enrollment Committee that Cherokee Code Sec 49-8(c) should be clarified so that enrolled members are aware of the possible documents sufficient to update their enrollment file; and

WHEREAS, an amendment is needed in order to clarify the Cherokee Code to reflect the use of all these possible documents.

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:

47 **Sec. 49-8. Recordkeeping.**

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49 [Subsections (a) and (b) are unchanged.]
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51 (c) *Updating records.* Upon receipt of appropriate documentation, the Enrollment Staff is
52 authorized to update the information on the Tribal roll. One of the following
53 document~~sation~~ is deemed adequate for such actions to be taken:

- 54 (1) Name change: marriage license, divorce decree, court order changing name, or
55 Social Security card stating name change.
56 (2) Address change: written statement signed by Tribal member or their guardian.
57 (3) Death: death certificate, Bureau of Indian Affairs records, mortuary records,
58 hospital records, obituary notice from newspaper, documentation from the Social
59 Security Administration, or written, signed statement from someone who attended
60 funeral or who saw the grave marker and can provide the date of death.
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62 [Subsections (d) and (e) are unchanged.]
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65 BE IT FINALLY ORDAINED, that all ordinances and resolutions inconsistent with this ordinance
66 are rescinded, and this ordinance shall become effective upon ratification by the
67 Principal Chief.
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69 *Submitted by the Enrollment Committee*