

Cherokee Nation Code Annotated

Title 67: Records

Chapter 2: Freedom of Information and Privacy Rights

§ 102. Findings and purpose

Cite as: 67 CNCA § 102

A. The Council of the Cherokee Nation and the Principal Chief of the Cherokee Nation find that it is vital in a democratic society that public business be performed in an open and public manner. Toward this end, provisions of this chapter must be construed so as to make it possible for Cherokee citizens, or their representatives, to have their public officials and governmental activities at a minimum cost or delay to the persons seeking access to public documents or meetings.

B. Citizens have a right to know the basis of the formulation of public policy. Therefore, it is the public policy of the Cherokee Nation that citizens shall be advised of the performance of public officials and of the decisions that are reached in public activity.

C. 1. Article II of the Constitution of the Cherokee Nation contains the provisions of the "Bill of Rights" which apply to the membership. These provisions assure certain judicial remedies and guarantee the protections afforded by the Federal Indian Civil Rights Act of 1968 (25 U.S.C. §§ 1302–1303). This chapter affirms those rights as intended by the Constitution.

2. Various administrative policies have adopted the federal laws regarding access to records and privacy. This chapter applies to specifically identified tribal records. All federal records such as federal lease contracts and other federal records and files maintained by the Cherokee Nation are subject to the applicable federal laws governing the access of federal records.

Historical Data

LA 25–01, eff. September 14, 2001. Amended LA 16–14, eff. June 20, 2014.