

An Act

Enrolled
Legislative Act 31 -89

ACT RELATING TO CHEROKEE NATION OF OKLAHOMA LAW REGARDING ETHICS

BE IT ENACTED BY THE CHEROKEE NATION:

Subchapter 1 General Provisions

Section 15-2-1 Title

This chapter shall be known as the "Cherokee Nation Ethics in Government Act".

Section 15-2-2 Purpose

The purpose of this Act is to provide standards of fairness and integrity for all officials and employees of the Cherokee Nation while conducting the business of the Nation for employees and officials representing the Nation in their respective capacities.

It shall be recognized that officials and employees are in positions of trust on behalf of the Nation and must endeavor to exercise the highest qualities of conduct, integrity and confidence on behalf of the Nation and its citizenry. Also, it is the individual responsibility of each employee and official to conduct themselves in a polite and courteous manner with respect and consideration for others.

The standards established herein are not to be considered in lieu of ethical standards imposed by Federal Law, Tribal Law, or Personnel Policies and Procedures of the Nation.

Section 15-2-3 Definitions

"Official" means any person serving the Nation by appointment or certified election.

"Employee" means any person engaged for their services to the Nation part or full time and who receives compensation from the Nation for their services.

"Conflict of Interest" means matters and issues for which a person may have an unfair advantage by virtue of their position and would receive more than significant value in money or items of worth by participating in the decisions of such matters and issues.

"Significant Value" means things or money which would amount to more than reasonable costs or expenses incurred for conducting business.

"Coerce" means undue influence or intimidation using official capacity as leverage for or against another person.

Section 15-2-4 Code of Ethical Standards

Every official and employee of the Cherokee Nation of Oklahoma should endeavor to:

1. Put loyalty to the highest moral principles and to the Cherokee Nation above loyalty to other persons, parties or governmental entities;
2. Uphold the Constitution, laws and regulations of the Cherokee Nation and never be a party to their evasion;

3. Give a full day's labor for a full day's pay; giving earnest effort and best thoughts to performance of duties;

4. Seek to find and employ more efficient and economical ways of getting tasks accomplished;

5. Never discriminate unfairly by the dispensing of special favors or privileges to anyone, whether for remuneration or not and never sell influence to gain special favors for any person, business or governmental entity.

6. Never accept, for himself or herself or for family members, favors or benefits under circumstances which might be construed by reasonable persons as influencing the performance of tribal duties;

7. Make no private promises of any kind, binding upon the duties of office, since a tribal employee has no private word which can be binding on public duty;

8. Engage in no business with the tribe, either directly or indirectly, which is inconsistent with the conscientious performance of tribal duties and further make every effort in his or her private work to avoid conflicts of interest; unless participation in the conduct of the business, personal and Tribal is deemed to be of no substantial effect on his or her integrity and any other interests are deemed insignificant.

9. Never use any information gained confidentially in the performance of tribal duties as a means of making private profits to the detriment of the Cherokee Nation.


10. Never use his or her position in any way to coerce or give the appearance of coercing anyone to provide a financial benefit to himself or herself or another person.

11. Expose corruption wherever discovered.

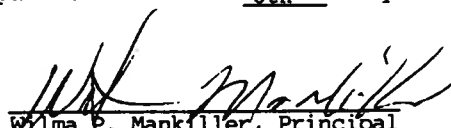
Section 15-2-5 Review

A plaintiff may be liable for administrative costs and defendant attorney fees, should it be determined the action was frivolous, unreasonable, without foundation, or brought in bad faith.

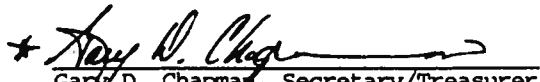
Passed by the Cherokee Nation Tribal Council on this 8th day of April, 1989.


John A. Ketcher, President
Cherokee Nation Council

Approved and signed by the Principal Chief this 8th day of April, 1989.


Wilma P. Mankiller, Principal
Chief, Cherokee Nation of
Oklahoma

ATTEST:

* 
Gary D. Chapman, Secretary/Treasurer
of the Cherokee Nation