



Council of the Cherokee Nation

Cherokee Nation Tribal
Council
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Legislation Details (With Text)

File #: 10-110 **Version:** 1 **Name:** Cherokee Nation Free Flow of Information Act
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Title: A LEGISLATIVE ACT AUTHORIZING THE COORDINATION OF INFORMATION BETWEEN DEPARTMENTS OF THE CHEROKEE NATION GOVERNMENT
Sponsors: Bill John Baker
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Attachments: 1. LA-27-10-UNSIGNED

Date	Ver.	Action By	Action	Result
9/20/2010	1	OFFICE OF THE CHIEF	Returned Unsigned	
9/13/2010	1	TRIBAL COUNCIL	Approved	Pass
8/26/2010	1	RULES COMMITTEE	Approved and Forwarded to Council	Pass

**A LEGISLATIVE ACT AUTHORIZING THE COORDINATION OF INFORMATION BETWEEN DEPARTMENTS OF THE CHEROKEE NATION GOVERNMENT
BE IT ENACTED BY THE CHEROKEE NATION:**

Section 1. Title and Codification

This Act shall be known as the "Cherokee Nation Free Flow of Information Act of 2010" and shall be codified under Title ____ Section ____ of the Cherokee Nation Code Annotated (CNCA).

Section 2. Purpose

The purpose of this Act is to ensure the coordination of all departments of the Cherokee Nation government in the development and sharing of information concerning Tribal citizens in order to provide better services to the Cherokee people.

Section 3. Legislative History

Article VI §7 of the Cherokee Nation Constitution which states:

"The Council shall have the power to establish laws which it shall deem necessary and proper for the good of the Nation, which shall not be contrary to the provisions of this Constitution. The style of all bills shall be: "Be It Enacted By the Cherokee Nation". The style of all resolutions shall be "Be It Resolved By the Cherokee Nation".

Section 4. Definitions

“Medical Records” means: Any records that contain confidential health information.

“Criminal Records” means: Any records that contain confidential criminal or investigatory information.

Section 5: Substantive Provisions

A. The Principal Chief shall ensure the creation of a central data base of the address, date of birth, phone number (if available) and Cherokee registration number of all Cherokee Nation citizens.

B. In culminating this list, the various departments of the Cherokee Nation government shall cooperate and share information. These departments shall include, but are not limited to: Registration, Election Commission, Tax Commission, The Cherokee Phoenix and Housing Department.

C. The Cherokee Nation Health Services and the Cherokee Nation Marshall Service shall not provide information to the data base ensure that confidential health records nor criminal records are improperly disseminated.

D. The information collected by the various departments shall be used for Cherokee Nation internal use only, except as otherwise provided by law.

Section 6. Severability.

The provisions of this Act are severable and if any part of provision hereof shall be held void or invalid by a court of competent jurisdiction the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this Act.

Section 7. Declaration of Emergency.

It being immediately necessary for the welfare of the Cherokee Nation, the Council hereby declares that an emergency exists, by reason whereof this Act shall take effect and be in full force after its passage and approval.