

Chapter 75

NEWSPAPERS

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ARTICLE I. IN GENERAL***Sec. 75-1. Tribal newspaper.**

The Cherokee One Feather is hereby designated and recognized as the official publication of the Eastern Band of Cherokee Indians for the instruction and information of the Cherokee community.

(Res. No. 13, 4-3-1953; Res. No. 28, 12-4-1973; Res. No. 10, 10-18-1983)

Sec. 75-2. Policy.

It shall be the policy of the Cherokee One Feather to publish news articles and other materials and information judged by the editorial staff to have general value to the Cherokee community. Such news articles shall include a resume of Tribal Council business, Executive Committee and Business Committee actions and action taken by other Tribal committees, boards and enterprises. All news articles, editorials or other matters dealing with controversial subjects shall be submitted to the editorial board for consideration and approval prior to publication.

(Res. No. 13, 4-3-1953; Res. No. 28, 12-4-1973; Res. No. 10, 10-18-1983)

Sec. 75-3. Employment information.

It shall be mandatory for all organizations located on the Cherokee Indian Reservation to advertise all vacant positions for employment in the Cherokee One Feather.

(Res. No. 13, 4-3-1953; Res. No. 28, 12-4-1973; Res. No. 10, 10-18-1983)

Secs. 75-4—75-49. Reserved.**ARTICLE II. FREE PRESS ACT****Sec. 75-50. Title.**

This act shall be known as the "Free Press Act of 2006."

(Ord. No. 214, 5-12-2006)

***Editor's note**—Ord. No. 214, ratified May 12, 2006, amended the Code by adding an Art. II to this Chapter. Art. I has been added at the editor's discretion.

Sec. 75-51. Purpose.

This article will be the Free Press Act of the Eastern Band of Cherokee Indians. It is imperative to have measures in place to ensure the freedom of press and to ensure the tribal publications have the autonomy and independence to report honestly and objectively.

(Ord. No. 214, 5-12-2006)

Sec. 75-52. Rights.

The Eastern Band of Cherokee Indians recognizes and respects the civil rights of its enrolled members. The Federal Indian Civil Rights Act of 1968, 25 USC 1302 has formally by resolution been adopted by the Eastern Band of Cherokee Indians. Therefore, the principles of free speech and free press, the rights of the people to assemble and petition for redress of grievances shall not be abridged.

(Ord. No. 214, 5-12-2006)

Sec. 75-53. Policy.

An Independent Free Press of the Eastern Band of Cherokee Indians. The Eastern Band of Cherokee Indians Free Press shall be independent from any undue influence and free of any particular political interest. It is the duty of the press to report without bias the activities of the tribe, the tribal government, and any and all news of interest to have informed citizens.

(Ord. No. 214, 5-12-2006)

Sec. 75-54. Providing a Tribal Free Press Newspaper.

The One Feather shall be published weekly to report news, gatherings, and newspaper related issues as well as provide a forum for all views of the Cherokee people.

(Ord. No. 214, 5-12-2006)

Sec. 75-55. Editorial Board and Editor.

(a) An Editorial Board is hereby created and shall consist of three members. These shall be tribal members. To be eligible to serve as a Board member, a person must:

- (1) Be at least 18 years of age,

- (2) Have quality experience in the management and operations of the publications,
- (3) Be of good character and have a reputation of integrity,
- (4) Certify that he or she will adhere to the standards of accepted ethics of journalism as defined by the Society of Professional Journalists and endorsed by the Native American Journalists Association, and
- (5) One of the three must have a degree in Journalism.

(b) The Principal Chief shall appoint one member. The Council shall appoint two members. All appointees shall be confirmed by the Council.

(c) The members will select a Chairman and a Vice Chairman. The Council shall confirm.

(d) The terms of office of the Board members shall be six years. These shall be staggered terms; provided, however, that in order to stagger the terms of expiration of office, one of the first group of Board members appointed hereunder shall be appointed for a term of two years, one for four years, and one for six years.

(e) Board members shall serve their terms of office free from political influence from any Executive or Legislative Officials of any Branch, Division or Department of the Government of the Tribe and may be removed only for cause subject to a hearing by the Tribal court. Removal of a Board member shall be by a vote of the majority of Council. No Board member shall directly or indirectly, solicit, receive or in any manner be concerned in soliciting or receiving any assessment, subscription or contribution for any political organization, candidacy or other political activity, except to exercise his or her right as a citizen to express his or her individual opinion and cast his or her right to vote.

(f) The Board members shall be provided for reimbursement of reasonable expenses incurred in the pursuit of their duties in accordance with the policies of the Tribe.

(Ord. No. 214, 5-12-2006)

Sec. 75-56. Powers of the Board.

The Board shall have the following powers and duties:

- (a) To establish and enforce editorial guidelines that will be fair and responsible in the reporting of general news, current events and issues of Tribal concern including activities of the communities, and other local, state and Federal issues pertinent to the Tribe. The One Feather will also include other subject matter including Cherokee Language, culture, and history which will inform the Cherokee people and other interested persons about their Government, Tribe and culture.
- (b) To make sure the operational structure of the One Feather is sound and that the duties and obligations required of the paper and Board are fulfilled.
- (c) To review advertising rates and policies, as well as other revenue generating aspects of the paper.
- (d) To develop consistent, fair and reasonable policies on campaign advertising, editorials, forums, public announcements and other issues pertaining to the journalistic success of the One Feather.

(Ord. No. 214, 5-12-2006; Ord. No. 236, 5-12-2008)

Sec. 75-57. Editor and Staff.

(a) The editor will certify he or she will adhere to the standards of accepted ethics of journalism as defined by the Society of Professional Journalists and endorsed by the Native American Journalists Association.

(b) The editor and staff of the One Feather shall serve in their capacities as Tribal employees and follow the personnel policies of the Eastern Band. The Tribe's Indian Preference policy as detailed in Chapter 96 of the Cherokee Code shall apply to all hiring decisions for the editor and staff positions. All job descriptions will be developed by the appropriate manager, the Tribal Human Resources Department and any outside consultant as necessary.

(c) The editor and staff of the One Feather shall work free from political influence from any department of the government, the Legislative, and Executive. The One Feather editor and staff will not be intimidated with their jobs by printing and providing honest weekly publications to the enrolled members of the Tribe and other interested persons.

(d) The staff shall not, directly or indirectly, solicit, receive or in any manner be concerned in soliciting or receiving any assessment, subscription or contribution for any political organization, candidacy or other political purpose. The staff shall not participate in any political campaign or be involved in any Tribal political activity, except to exercise their rights as citizens to express their individual opinion and cast their vote.

(Ord. No. 214, 5-12-2006; Ord. No. 236, 5-12-2008)

Sec. 75-58. The provisions of this article are severable.

If any part of this article are held void, the decision of the tribal court shall not affect or impair any of the remaining parts or provisions of this article.

(Ord. No. 214, 5-12-2006)