



The Catawba Nation

## Office of Tribal Government

996 Avenue of the Nations • Rock Hill, SC 29730

p: (803) 366-4792 • f: (803) 327-4853 • e: info@catawba.com

## CATAWBA NATION DOCUMENT REQUEST FACT SHEET

In October 2023 Catawba Nation's General Council enacted a Transparency Ordinance into law which created rules for requesting documents from the Nation. This form was created in accordance with the Ordinance to create a more transparent Catawba Nation. Nothing in the Fact Sheet should be construed as contradicting the [Transparency Ordinance](#).

### Who can request a document or record from Catawba Nation?

Both Citizens of Catawba Nation and Non-Citizens alike can request documents from Catawba Nation. However, the Ordinance recognizes that Non-Citizens have a limited interest in accessing documents and stipulates that the Executive Committee may grant a Non-Citizen access to Nation documents on a case-by-case basis upon the showing of a clear and convincing need for the Non-Citizen to access the Nation document. Completed forms should be emailed to [DocumentRequests@catawba.com](mailto:DocumentRequests@catawba.com) or submitted in person at the Longhouse.

### How does the process for requesting documents work?

Upon receiving a completed Document Request Form in person or via email, the Secretary-Treasurer of Catawba Nation will have five business days to fulfill the request or notify the requester of good cause to extend that timeline. If the request is made by a Citizen for an Available Nation Document (see below) then the request will be fulfilled. If the request is made by a Non-Citizen and/or the request is for a Protected Nation Document then the Secretary will consult with the Nation's Legal Department and bring the request to the Executive Committee for a final decision. If a request is denied then the requester will be notified of their right to appeal.

### How can a document be accessed?

Available Nation Documents will be shared digitally or can be mailed upon request. Protected Nation Documents, when released in full or in part, may have limitations on how the document can be accessed due to the nature of the document itself. The Nation retains the right to impose reasonable fees for the copying and/or mailing of hard-copies, particularly for large requests. These fees will be standardized and posted to the Nation's website and Citizen Portal. Fees are due no later than 30 days after the date the documents are made available to the requester.

### How does an appeal work?

If a document request is denied, then an appeal can be filed to the Tribal Court within ten business days, otherwise the decision is final. If the Tribal Court is not established at the time of the request, then a Citizen may appeal the decision to the General Council and a Non-Citizen may appeal the decision to the Executive Committee. Send appeals to [mycourts@catawba.com](mailto:mycourts@catawba.com).

### What is an Available Nation Document?

Available Nation Documents are records that are by default available to Citizens and include:

- Agendas, Minutes, and Resolutions of the General Council
- Executive Committee Agendas, Minutes, Memos, and Resolutions – which shall include the vote of each Executive Committee member – except items pertaining to Executive Session
- Completed Financial Audits of the Nation
- Any Executive Committee reports that take place outside of Executive Sessions



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### **What is a Protected Nation Document?**

Protected Nation Documents are records that are not by default available but that can be made available at the discretion of the Executive Committee. Protected Nation Documents include:

- Documents protected by law
- Sensitive information such as Medical records, Enrollment records, Housing Records, Financial Records, or Personnel Records
- Law Enforcement Documents in pending investigation or prosecution if the disclosure would constitute an unwarranted invasion of privacy, interfere with law enforcement proceedings, deprive a person the right of a fair trial, disclose the identity of a confidential source, disclose information provided by a confidential source, disclose the law enforcement investigative techniques/procedures, or endanger the life or physical safety of law enforcement personnel
- Proposed contracts, ongoing negotiations for proposed contracts, employment-related contracts, or contracts that contain a confidentiality or nondisclosure provision
- Documents containing trade secrets, commercial information, or financial information that would be deemed privileged in litigation or would endanger the economic viability or competitive position of the Nation
- Documents for which disclosure would jeopardize the operation of the Nation's Government or a Tribal Entity
- Documents or information protected by legal privilege such as attorney-client privilege or attorney work-product
- Documents or records of Tribal Court that would otherwise not be disclosed to the public
- Meeting Minutes of Executive Sessions of Nation boards, committees, commissions, and other Nation entities
- Executive Committee Secretarial Notes as well as Executive Session Minutes, Memos, and Resolution
- Documents that are part of proposed land purchase negotiations, that would reveal the site of archaeological or culturally significant sites, or that concern land assignments

### **What is an Executive Session?**

This is a closed meeting intended to discuss confidential matters including proposed or confidential projects, negotiations, matters of litigation, advice protected by attorney-client privilege, attorney work product, and matters in which the Nation is legally obligated to maintain privacy.



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## DOCUMENT REQUEST FORM

Personal Information	
Full Name <i>(as written on tribal role)</i>	Date
Tribal Enrollment Number	Organization Name (Non-Citizen)
Email	Mailing Address (only if requesting mailing services)
Requested Document Information	
<i>Example: Minutes from the November 4, 2023 General Council Meeting</i>	
Reason, Need, and Urgency for Request	
This rationale is used by the Executive Committee when considering requests by Non-Citizens and/or requests for Protected Nation Documents. If this request is particularly urgent please include that information as well.	
FOR OFFICE USE ONLY	
Received By	Date



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Determination

The Secretary Treasurer has found good cause for a longer period of determination for the following reason:

Secretary-Treasurer Signature

Date

This request is for an Available Nation Document and shall be shared with requester within 5 days.

Secretary-Treasurer Signature

Date

This request is by a Non-Citizen and/or is for a Protected Nation Document and shall be determined by the Executive Committee:

The Executive Committee has determined to release the requested document with the following limitations:

Empty box for listing limitations.

The Executive Committee has determined not to release the requested document.

Reason:

Vote Results: Y= Yes, N= No, A=Abstain

Signature lines for Brian Harris, Patricia Leach, Rod Beck, Connie Wade, and DeLesslin George-Warren.

An appeal can be filed to the Tribal Court within ten business days, otherwise the decision is final. If the Tribal Court is not established at the time of the request, then a Citizen may appeal the decision to the General Council and a Non-Citizen may appeal the decision to the Executive Committee. Send appeals to Executivecommittee@catawba.com.

Secretary-Treasurer Signature

Date