

Advisory Opinion AO 20-01

January 15, 2020

Question: Can Tribal Officials or their families accept the Braves offer of accommodations and Gala tickets?

Factual Background:

The Atlanta National League Baseball Club, Inc. (the “Braves”) has invited some tribal officials, including tribal council members, to an event in Atlanta called “Chopfest” which will be held January 24 and 25, 2020. The Chopfest event itself is held at the ball park on Saturday and is free. The Braves will pay, for tribal officials and guests, overnight accommodations, and a Chopfest Gala for at least some officials on Friday night, and perhaps some “meet and greet” events with players/coaches/team management. The Gala itself has a ticket price of \$200, with the proceeds to benefit an Atlanta hospital, and the Gala tickets will be paid by the Braves.

Review of Charter and Code sections:

- a. The Tribe has no contractual relationship with the Braves and the Braves is neither a contractor, sub-contractor or potential contractor for the Tribe.
- b. The EBCI does not have pending and has not been considering a tribal government action relating to the Braves, such a Tribal Council resolution concerning the baseball club's name.
- c. The services to be provided to those from the Tribal government attending Chopfest are the same events or services - room, meals, interactions with baseball personnel - that would be available to other Chopfest or Gala visitors (although the other Gala or Chopfest visitors might be paying for their events or services)
- d. The Tribal officials who attend Chopfest would report the value of the accommodations, meals, and services on their regular gift reports to the Ethics Office



Section 17-45.3(b) - no acceptance of gratuities is allowed from "contractors, potential contractors or subcontractors who are contracting to perform services or sell goods or property to the Tribe or a tribal program"

Section 17-45.3 (d) (9) - any gift must be reported

Section 17-45.3 (d) (11) - tribal officials shall not accept anything of value "if the gift could reasonably be expected to influence the vote, official actions, or judgment of, or for, the official or could reasonably be considered a reward for any official action or inaction."

Section 17-45.3(d)(15) - tribal officials may participate in "private, public . . . activities provided such activities do not detract from the dignity of the office or interfere with the performance of official duties."

Analysis and Conclusion:

Tribal officials may accept gratuitous accommodations, meals, and interactions with Braves personnel as described above. This is based on the relationship of the Tribe to the Braves organization – that is, the Braves is not in any kind of legal relationship with the Tribe – and that Tribal government is not considering any action which affects the Braves organization.