

TRIBAL PROGRAM NEWS

Ordinance Number 2.300. Amended by Resolution dated April 21, 1980; Resolution No. 81-13A, dated Nov. 18, 1980; Resolution No. 81-100 dated Sep. 3, 1981; Resolution No. 84-75, Feb. 18, 1984; Resolution No. 86-135, March 15, 1986; Resolution No. 90-136, May 19, 1990; Resolution No. 94-261, Nov. 5, 1994; Resolution No. 95-025, Jan. 21, 1995; Constitutional Election, July 14, 1995; Resolution No. 96-107, April 20, 1996; Resolution No. 99-136, May 15, 1999; Resolution No. 2000-087, March 18, 2000. Resolution No. 2000-257, August 26, 2000; Resolution No. 2002-358, October 18, 2002; Resolution No. 2003-327, July 25, 2003; Resolution No. 2005-361, dated September 16, 2005.

Original Date: February 19, 1980
Subject: Enrollment

ENROLLMENT ORDINANCE

Siletz Tribal Code § 2.300

PART I GENERAL PROVISIONS

§ 2.301 AUTHORITY AND PURPOSE

The purpose of this ordinance is to provide for the development and maintenance of the tribal membership roll of the Confederated Tribes of Siletz Indians of Oregon. Authority for this action is vested in the Tribal Council by Article I, Section 2, of the Constitution of the Confederated Tribes of Siletz Indians of Oregon adopted June 2, 1979, and approved by the Secretary of the Interior June 13, 1979. [Section 1 and 2 consolidated by amendment, Resolution No. 86-135, March 15, 1986].

§ 2.302 MEMBERSHIP REQUIREMENTS

(a) The membership of the Confederated Tribes of Siletz Indians of Oregon shall be open to all persons who are not enrolled as members of another federally recognized Indian Tribe and:

- (1) Whose names validly appear on the official tribal roll dated May 16, 1978, provided that where proper evidence so indicates and subject to the provisions of this ordinance, the blood quantum levels listed thereon may be corrected by the Tribal Council as outlined in the Constitution of the Confederated Tribes of Siletz Indians of Oregon. Nothing in this Section shall be construed to limit the power of the Tribal Council to make corrections as to blood quantum levels on any official tribal roll after that date [As amended by Resolution, dated April 21, 1980 (no resolution number); amended by Resolution No. 90-136, dated May 19, 1990]; or
- (2) Who possess one sixteenth or more degree Siletz blood quantum, and have filed an application for enrollment in accordance with the provisions of this ordinance. [amended by Constitutional Election, July 14, 1995]. "Siletz Blood" is defined as that derived from a direct ancestor who was named on any roll or records (of Siletz) tribal members prepared by the Department of the Interior prior to June 13, 1979; [Moved within Ordinance by Resolution No. 96-107, dated April 20, 1996] and
- (3) Applicants for enrollment must be living from the time they make

application until the time they are accepted by Tribal Council as members on the Tribal Roll. [Added by Resolution No. 96-107, dated April 20, 1996].

§ 2.303 ENROLLMENT STAFF

(a) Employment. The Siletz Tribal Council shall authorize the hiring of such staff as it deems necessary to fulfill the functions identified in this ordinance. The enrollment staff shall be hired in accordance with Tribal personnel policy and shall be subject to all tribal management rules and regulations in the same manner as other tribal employees. [Amended by Resolution dated April 21, 1980 (no resolution number), amended by Resolution No. 86-135, dated March 15, 1986].

(b) Duties and Powers. The enrollment staff shall review and evaluate all applications for membership. It shall recommend to the Tribal Council approval or rejection of each application. It shall have the authority to require the applicant to furnish such evidence or proof as is necessary to make appropriate recommendations to the Council. The staff shall establish the nature and types of acceptable evidence which shall include, but not be limited to, court documents, state or federal records, hospital records, medical records, notarized statements and Bible records. [Amended by Resolution No. 86-135, dated March 15, 1986; amended by Resolution No. 90-136, dated May 19, 1990].

(c) Reports and Meetings. The enrollment staff shall make a monthly report to the Tribal Council of its proceedings. The Enrollment Clerk's monthly report will be prepared, published and provided to Tribal Council and will include a statement which sets out the total current number of enrollment tribal members, and the number of enrollment members residing in the Tribe's eleven county Service Area. [Amended by Resolution No. 90-136, dated May 19, 1990. Amended by Resolution No. 2000-257, dated August 26, 2000].

(d) Records. The staff shall maintain appropriate records to support its recommendations and maintain the roll as accurately as possible. The records shall be open at all times to inspection by the Tribal Council. The records shall include originals or copies of documentation received in support of

applications, including addresses, dates of birth, birth certificates, dates of death, death certificates, change of names, etc. Revealing information in the enrollment records by any person to someone other than members of the Tribal Council or the enrollment staff shall be deemed grounds for expulsion or termination. It shall be the policy of the Tribe that enrollment records shall not be released to any person absent the consent of parents or other family members who may be affected by such release, or if such release will violate any intergovernmental agreement entered into between the Siletz Tribe and any other government. [Amended by Resolution No. 86-135, dated March 15, 1986; Resolution No. 94-261, dated November 5, 1994].

(e) Confidential information in the possession of enrollment staff may be disclosed to other tribal employees as necessary and appropriate for legitimate tribal purposes, and on a "need to know" basis. Such information shall be returned to enrollment staff as soon as it is no longer needed by the employee who has received and is using the information, and shall not be disclosed to third persons, including other tribal employees, for any purpose. [Added by Resolution No. 95-025, dated January 21, 1995].

PART II APPLICATIONS FOR MEMBERSHIP

§ 2.304 PROCEDURES FOR MEMBERSHIP APPLICATION

(a) Application Form. The enrollment committee shall develop an application form which shall be available in all tribal offices and must be used when making application for enrollment. The application form shall be entitled "Application for Enrollment" and shall contain space for the following information:

- (1) Name and address of applicant;
- (2) All names by which the applicant is or has been known;
- (3) Date of birth of the applicant;
- (4) The names of the parents of the applicant and Siletz ancestor through whom "Siletz blood" is traced;
- (5) If the applicant is a minor or incompetent, the name, address and relationship of the person making

the application on behalf of such minor or incompetent;

- (6) Certification by the applicant that the information is true.

[Amended by Resolution dated April 21, 1980 (no resolution No.); amended by Resolution No. 86-135, dated March 15, 1986].

(b) Who may apply. Any person who believes he or she meets the requirements for membership in the Siletz Tribe as set forth herein may submit an application for enrollment to the enrollment staff. Applications for persons such as minor children and incompetents may be filed by a parent, next of kin, recognized guardian, a representative of the Siletz Tribal Indian Child Welfare program or other person responsible for their care. At least one supporting document other than the affidavit of the applicant shall accompany each application. [Amended by Resolution No. 86-135, dated March 15, 1986; amended by Resolution No. 90-136, dated May 19, 1990].

(c) Processing of Applications. The enrollment staff shall process each application and make its recommendation thereon to the Tribal Council within 30 days of its receipt of the application and all supporting documents as provided in this section. [Amended by Resolution No. 96-107, dated April 20, 1996]. In the event the staff needs further information necessary to make its recommendation, it shall inform the applicant in writing, with a request for the information needed. The applicant shall have 30 days following receipt of the letter to provide the information. After 30 days, the staff shall return the application by certified mail. For good cause, the staff may extend the time period for response. The applicant has the responsibility of proving his or her application with written documentation. [Amended by Resolution No. 81-100, Sep. 3, 1981; amended by Resolution No. 86-135, dated March 15, 1986; amended by Resolution No. 90-136, dated May 19, 1990].

- (1) Supporting Documentation: The enrollment staff may consider the following types of documentation in making its recommendation:

(A) The current official Tribal roll and/or any roll or records of Siletz tribal members prepared