

TRIBAL PROGRAM NEWS

by the Department of the Interior prior to June 13, 1979.

- (B) Copies of certified Birth Certificates from any jurisdiction.
- (C) Bible records, which could include information recorded on the pages of a family Bible.
- (D) Certified results of scientific methods to establish maternity and paternity.
- (E) Certified copies of court documents (any court of competent jurisdiction).
- (F) Sworn statements/Affidavits of Tribal members to be used in conjunction with other evidence.

- (2) The enrollment department is free to grant whatever weight it deems appropriate to each item of evidence before making its recommendation.

[Added by Resolution No. 96-107, dated April 20, 1996].

(d) Staff Recommendation, Posting, Right to Protest and Tribal Council Action.

- (1) After the enrollment staff has processed the application, it shall prepare a written recommendation for the Tribal Council. The staff shall mail one copy of its recommendation by certified mail to the applicant. It shall post additional copies on the bulletin boards in each of the Siletz Area Offices. The recommendation shall include notice of when the application will be considered by the Tribal Council and point out the rights of the applicant and of tribal members to protest the recommendation of the enrollment staff. [Amended by Resolution No. 81-100, Sep. 5, 1981; amended by Resolution No. 86-135, March 15, 1986].

- (2) If the staff recommendation is for approval of the application, any member of the Confederated Tribes of Siletz Indians of Oregon who believes that the enrollment staff is in error, within fifteen (15) days of posting, may file a signed protest with the enrollment staff, stating his or her reasons for believing that the applicant is not entitled to enrollment. [Amended by Resolution No. 86-135, March 15, 1986].

- (3) If the staff recommendation is for rejection of the application, the applicant may, within fifteen (15) days from the posting of the notice, file a protest with the enrollment staff, stating the reasons he or she believes the application should be approved. [Amended by Resolution No. 86-135, March 15, 1986].

- (4) If a protest is filed, the enrollment staff shall reconsider the application in light of the information submitted with the protest and shall post its final recommendation within thirty (30) days of such receipt. [Amended by Resolution No. 86-135, March 15, 1986;

amended by Resolution No. 90-136, May 19, 1990].

- (5) Where no protest is filed, the Tribal Council shall act upon the staff's recommendation at its regular monthly meeting following the expiration of fifteen (15) days of posting the recommendation. If a protest is filed, the Tribal Council shall act upon the staff's recommendation at its regular monthly meeting following the expiration of fifteen (15) days from the date of posting the final recommendation described in subsection (4) above. Provided, that the Tribal Council shall not take any action on enrollment application, name change, loss of enrollment, or removal from the roll requests each year between December 1st of each year and the conclusion of election day the following calendar year on the first Saturday of February. [Amended by Resolution No. 85-135, March 15, 1986; Amended by Resolution No. 2002-358, October 18, 2002].

- (6) When the Tribal Council approves an application for enrollment, the applicant shall be notified by mail and the enrollment staff shall enter the name of the applicant on the official tribal membership roll. If the Tribal Council decides to reject an application for enrollment, the applicant shall be so notified by mail and advised of his or her right to appeal or to request reconsideration of the decision in accordance with 2.314. Such Tribal Council decisions shall be enacted in the form of resolution. [Amended by Resolution No. 86-135, March 15, 1986].

- (e) Burden of Proof. The applicant has the responsibility of proving his or her eligibility for enrollment.

§ 2.305 EMERGENCY ELIGIBILITY DETERMINATIONS

[Added by Resolution No. 81-13A, Nov. 18, 1980, as Subsection (6) of § 2.304; amended by Resolution No. 86-135, March 15, 1986; amended by Resolution No. 2003-327, July 25, 2003].

(a) In any case where the Tribal Council determines that it is in the best interests of the Tribe to intervene in pending state court proceedings involving the custody of a child who is not enrolled in the Tribe - but may be eligible for enrollment - the emergency procedures set forth in subsection (b) shall be followed. [Amended by Resolution No. 86-135, March 15, 1986; amended by Resolution No. 90-136, dated May 19, 1990].

(b) The Enrollment staff shall determine whether the child is eligible for enrollment as soon as possible. If the child is otherwise eligible for enrollment, as set forth in § 2.302, but the

parent or parents have not enrolled the child, the Enrollment staff or Indian Child Welfare advocate shall file an enrollment application on behalf of said child and, if the application otherwise meets the criteria established by this ordinance, all time limitations and posting requirements of this ordinance shall be waived. Any emergency enrollment approval by the Tribal Council pursuant to this subsection shall result in temporary enrollment of the child in question, and permanent enrollment shall occur and continue only pursuant to the regular procedure for membership set out in this Ordinance. The permanent enrollment determination by the Tribal Council shall constitute the final enrollment action with regard to said child, and thereafter, said child shall be subject to all of the provisions of this Ordinance. [Amended by Resolution No. 86-135, March 15, 1986; amended by Resolution No. 90-136, dated May 19, 1990; amended by Resolution No. 2003-327, July 25, 2003].

PART III ELIGIBILITY STANDARDS

§ 2.306 ADOPTION

(a) Person adopted by members of the Siletz Tribe or by the Tribe are not eligible for enrollment unless they independently meet the requirements of this ordinance. An honorary membership roster for such persons may be established by resolution by the Tribal Council. Honorary membership does not afford any benefits or eligibility for services. [Amended by Resolution No. 86-135, March 15, 1986; amended by Resolution No. 90-136, dated May 19, 1990].

(b) A person who has been previously adopted, and who believes they may be of Siletz descendency, may apply to the enrollment staff to be enrolled in the Confederated Tribes of Siletz Indians of Oregon. The enrollment staff shall determine whether the person qualifies for membership, and shall certify the person to the Tribal Council for approval if appropriate. Records obtained or used in support of such determination shall not be released to the applicant except as provided for in Section 2.303(d) of this ordinance.

§ 2.307 PATERNITY AND MATERNITY

The Tribal Council may inquire into the paternity or maternity of an applicant where a reasonable basis exists to question the parentage of the applicant. When Paternity or maternity is not established through a valid birth certificate or when the descendent through whom the applicant is attempting to enroll does not appear on the birth certificate; then it is the responsibility of the applicant or their guardian to establish this through a paternity order from a court of competent jurisdiction, or as outlined in the Domestic Relations Code

prior to processing of the application. [Amended by Resolution No. 86-135, March 15, 1986 and by Resolution No. 2000-087, March 18, 2000].

§ 2.308 ENROLLMENT IN ANOTHER TRIBE

(a) Individuals who are enrolled in or members of another federally recognized Indian tribe, band, Pueblo or Alaska Native Corporation pursuant to 43 U.S.C. § 1601 et seq., shall not be eligible for enrollment in the Siletz Tribe. [Added by Resolution No. 86-135, March 15, 1986; amended by Resolution No. 90-136, dated May 19, 1990].

(b) For purposes of this Part and Part IV, enrollment or membership in another tribe or Alaska Native Corporation does not include participation in a judgment fund or other entitlement where eligibility is based solely on decendency and enrollment is only for purposes of participation in the distribution of the fund or entitlement. [Added by Resolution No. 86-135, March 15, 1986; amended by Resolution No. 90-136, dated May 19, 1990].

(c) Individuals who are already enrolled in the Siletz Tribe and are later found to be enrolled in another federally recognized Indian tribe, with exception to circumstances outlined in subsection (b) of this Section, will be given thirty (30) days to relinquish membership from either tribe. If, after thirty (30) days, the relinquishment process has not been initiated, the staff shall begin Loss of Membership proceedings outlined in Section 2.310 of this Ordinance. [Added by Resolution No. 90-136, dated May 19, 1990].

PART IV LOSS OF MEMBERSHIP

§ 2.309 RELINQUISHMENT OF MEMBERSHIP

(a) Any adult member of the Siletz Tribe over the age of eighteen may relinquishment membership in the Tribe by written notice to the Tribal Council. Upon receipt of notice and verification by the Tribal enrollment staff, the Tribal Council, by resolution, may direct the removal of that person's name from the roll. [Amended by Resolution No. 86-135, dated March 15, 1986; amended and added as subsection by Resolution No. 90-136, dated May 19, 1990].

(b) Membership of an individual under the age of eighteen who is enrolled as a member of the Siletz Tribe may be relinquished only for purposes of enrolling in another Indian Tribe. If the parent(s) or legal custodian(s) of a Siletz minor desire to enroll such child in another Indian Tribe, they shall submit a request for relinquishment in writing to the Tribe. The request shall be

See Enrollment on page 9.