

(d) PROCEDURES FOR MEMBERSHIP APPLICATION:

(1) **Deadline for application.** To be considered for enrollment in a given year, the applicant must submit a complete application for enrollment by July 1 of that year.

(2) **Application Form.** Enrollment staff shall develop an application form which must be used when making application for enrollment. The form shall be entitled "Application for Enrollment" and shall contain space for the following information:

(A) Name and address of the applicant;

(B) All names by which the applicant is or has been known;

(C) Date of birth of the applicant;

(D) Names of the parents of the applicant and the Tribal ancestor through whom lineal descent is traced;

(E) If the applicant is under the age 18 or incompetent, the name, address and relationship of the person making the application on behalf of such minor or incompetent;

(F) If the applicant's name does not validly appear on the official Tribal roll of June 22, 1984, information showing the applicant's close social and economic ties to the community, including letters from six sponsors who are Tribal members and not members of the applicant's immediate family; and

(G) Certification by the applicant, or by the person making the application on behalf of the minor or the incompetent applicant, that the information is true.

(3) **Supporting Documents:** At least one supporting document other than the application form shall accompany each application. Enrollment staff shall have the authority to require the applicant to furnish such evidence or proof as is necessary to support the Committee's recommendation. Any handwritten corrections or additions on documentation will be considered alterations. Altered documents will be unacceptable for enrollment purposes. Enrollment staff shall establish the nature and types of acceptable evidence which will include but not be limited to, court documents, state or federal records, hospital and medical records. In the absence of such documents or records, the enrollment staff shall have the authority to require the applicant to furnish three affidavits from duly enrolled members of the Tribe eighteen (18) years of age or older, who are related to the applicant, stating the relationship of the affiant to the applicant, and verifying that the applicant possesses one-sixteenth or more degree of Indian blood quantum of a federally recognized tribe or tribes; that the applicant is descended from a member of the Tribe, and provide documentation demonstrating close social and economic ties to the Tribe. This documentation shall include proof of employment, residence and service to the Tribe and sponsor letters as required in subsection (1)(F).

(4) **Who May Apply.** Any person who believes he or she meets the requirements for membership in the Tribe may submit an application for enrollment to the enrollment staff. Applications for minor children under the age of eighteen (18) and incompetents may be filed by a parent, next of kin, recognized guardian, other person responsible for their care, or a member of the Council.

(5) **Processing Applications, Right to Protest, Tribal Council Action.**

(A) The enrollment staff shall process each application and make recommendations to the Committee at the next regular meeting. In the event staff need further information necessary to make its proposed recommendation, it shall inform the applicant by letter, with a request for the information needed. Upon receiving the additional information, the staff shall process the application. The applicant has the responsibility of proving the statements made in his or her application.

(B) If the application is complete and the Committee finds that the applicant appears to meet the requirements of this Ordinance, the enrollment staff shall prepare a written statement within sixty (60) days for the Council. The staff shall mail notice to the applicant of when the application will be considered by the Council.

(C) If the Committee finds that the applicant appears not to meet the requests of this Ordinance, the enrollment staff shall mail notice of this finding by certified mail to the applicant. The applicant may file a protest with the enrollment staff within thirty (30) days of receipt of the certified letter, stating the reasons he or she believes the application should be approved.

(D) If a protest is filed, the enrollment staff may reconsider the application in light of the information submitted with the protest and shall submit its proposed recommendation, with justification, together with the protest, to the Tribal Government Committee within fifteen (15) days of receipt. The Tribal Government Committee shall make its decision within fifteen (15) days of receiving the enrollment staff's proposed final recommendation. If the Committee's decision is to reject the application, the applicant may within fifteen (15) days of the decision, present the protest to the Council for consideration. Consideration by the Council shall be on the record before the Committee.

(E) The Council shall initiate decisions on applicants for enrollment who have met the deadline for applications in November of the same year.

(F) When the Council approves an application for enrollment, the enrollment staff shall enter the name of the applicant on the official tribal membership roll and notify the applicant. If the Council decides to reject an application for enrollment, the applicant shall be notified by certified mail and advised of his or her right to request reconsideration of the decision in accordance with this section.

(G) The Council may, by majority vote, reopen rejected applications when new substantial evidence is submitted to support the applicant's position and when the Council determines that justice requires such recognition.

(e) EMERGENCY ELIGIBILITY DETERMINATIONS:

(1) In any case where the Council determines it is in the best interests of the tribe to hasten the enrollment process for any child who is not enrolled in the tribe but may be eligible for enrollment and who is the subject of a state court proceeding involving the custody of that child, the emergency procedures set forth in subsection (B) shall be followed.

(2) The staff shall determine whether the child is eligible for enrollment as soon as possible. If the child is eligible for enrollment, the staff shall file an application for the child's enrollment on behalf of the parent or parents and, if the application otherwise meets the criteria established by this ordinance, all time limitations and posting requirements of this are waived.

(f) **RELINQUISHMENT OF MEMBERSHIP:** Any member of the Tribe may relinquish his or her membership in the tribe with the consent of the Council. Upon receipt of written notice of relinquishment, Council shall, if it consents to the relinquishment, direct enrollment staff to remove the name of the individual from the roll. The individual may reapply for membership three (3) years after relinquishment but must comply with the requirements of this ordinance. Upon reaching eighteen (18) years of age, a child whose membership was relinquished may re-apply for membership without waiting three (3) years. An individual or agency acquiring legal custody of a minor whose enrollment has been relinquished by a previous legal custodian is not required to comply with the three year limitation on re-enrollment in this section. Such succeeding legal custodian may apply for re-enrollment of the minor in the tribe in accordance with this ordinance.

(g) LOSS OF MEMBERSHIP:

(1) **GROUND.** Enrollment staff shall recommend to Council the removal from the tribal roll any person who becomes ineligible for membership because of enrollment in another federally recognized tribe, band, or community, or does not meet requirements set for membership and has been enrolled in error. The Council shall, upon majority vote, order the removal from the tribal roll of any person thus found to be ineligible for membership.

(2) **PROCEDURE:** Prior to removal, a person shall be given notice by certified mail by the enrollment staff of the right to a hearing and to hear the evidence against him or her, confront witnesses, be represented by legal counsel at his or her own expense and present evidence to the Council within thirty (30) days after the enrollee's receipt of his or her proposed disenrollment.

(h) **DECEASED MEMBERS:** The Enrollment/Vital Statistics Offices shall keep a record of deceased tribal members.

(i) **BLOOD DEGREE CORRECTIONS:** Corrections of blood degrees of persons on the tribal roll shall be initiated by the enrollment staff which shall make recommendations from time to time to the Council with supporting reasons and evidence. These procedures can also be initiated by enrolled tribal members wishing to make corrections in their own or their minor dependent's blood degree. The Council shall direct the enrollment staff to make such corrections as to blood quantum of persons on the tribal roll as it deems necessary and proper. The corrected roll shall be the basis for evaluating all future applicants. Persons who are subject to adjustment of their blood quantum as set forth in this section shall have the right to a hearing as set forth in Section 7(B) of this ordinance. Any change in blood degree shall be made by the Council following such hearing, directing the enrollment staff to make such change subject to the appeals procedure set forth in this ordinance.

(j) **PUBLICATION:** An updated tribal roll shall be compiled in November of every year by the enrollment staff and shall be made available to all tribal members. The tribal roll shall be kept in the tribal office at Grand Ronde, Oregon, and shall be available for inspection upon request of any tribal member.