

PERSONNEL MANAGEMENT ORDINANCE OPEN FOR COMMENT

The Tribal Council is considering adopting amendments to the Personnel Management Ordinance. The proposed amendments were given a First Reading at the Aug. 12, 2015, Tribal Council meeting.

The proposed amendments (1) modify the random drug testing requirements (all other testing remains the same) under the Tribe's drug free workplace policy to include only safety sensitive positions; and (2) make other technical corrections including updates to the list of recognized Tribal holidays and Council direct reports. The proposed amendments may also include minor technical (i.e., typographical, housekeeping) modifications.

The Tribal Council invites comment on the proposed amendments. For a copy of the proposed amendments, please contact the Tribal Attorney's Office at 503-879-4664. Please send your comments to the Tribal Attorney's Office, 9615 Grand Ronde Road, Grand Ronde, Oregon 97347 or by e-mail to legal@grandronde.org.

Comments must be received by Sept. 30, 2015.

Grand Ronde Housing Department



Opportunity for comment on Grand Ronde Housing Department 2016 Indian Housing Plan (IHP)

Under the Native American Housing Assistance and Self-Determination Act of 1996, (NAHASDA), the U.S. Department of Housing and Urban Development (HUD) will provide grants to Indian tribes/Indian Housing Authorities for the development and operation of low-income housing in Indian areas. Grants are made to eligible recipients under the Indian Housing Block Grant Program. To be eligible for the grants, respondents must submit an Indian Housing Plan that meets the minimum requirements of the Act, and also submit an Annual Performance Report to HUD, and maintain records for HUD monitoring. The Grand Ronde Housing Department (GRHD) has received multiple grants under this program which were active during 2015. Comments on the Indian Housing Plan are welcome and copies of this report can be obtained at the GRHD office or by calling 503-879-2401 or 1-800-422-0232, ext. 2401. Comments must be submitted in writing to GRHD no later than 5 p.m. Friday, Sept. 25, 2015. All comments will be incorporated into the final report submitted to HUD.

Tribal Court rulings support Enrollment Committee findings

By Dean Rhodes

Smoke Signals editor

Tribal Court Chief Judge David Shaw issued 10 rulings on Tuesday, Sept. 1, that denied appeals from 76 Tribal members regarding the Enrollment Committee's decision to disenroll them over lineal descent issues.

Shaw's decisions also dismissed complaints affecting six deceased Tribal members that questioned whether a deceased Tribal member and their related legal representative have the right to formal notice when subject to posthumous disenrollment action.

The 76 living Tribal members claimed lineal descent from Chief Tumulth, who signed the Willamette Valley Treaty of 1855 but never moved to the Grand Ronde Reservation since he was executed by the U.S. Army in April 1856.

The Tribe's 1984 Constitution, in part, defined descent from a Tribal member to include a person named on any roll or record of Grand Ronde members prepared by the U.S. Department of the Interior before the effective date of the Constitution.

Although members claiming descent from Chief Tumulth first became Grand Ronde Tribal members in 1986, a subsequent 2013 audit of enrollment files found that they did not have the relevant constitutional membership requirement of descent from a lineal ancestor listed on any roll or record of Grand Ronde membership.

Family members claimed to descend from a woman listed on the 1872 census of Grand Ronde members, but the Enrollment Committee found the evidence unconvincing and voted in July 2014 to disenroll all those who became members based on lineal descent from Chief Tumulth.

"The actions are reasonably viewed as correcting an error of the petitioners' common ancestors being ineligible at the time of enrollment at CTGR, and as such the actions of the relevant Tribal parties are authorized by the Constitution and Tribal ordinance. Upon similar grounds, the Tribal ordinance is constitutional, and the actions of the Tribal actors in relation to the Tribal ordinance to process petitioners for proposed disenrollment based on enrollment in error are legally authorized," Shaw wrote.

Shaw also rejected an argument that the Tribe did not have the authority to hire a third party to review its enrollment files.

"The Tribe is within its authority to both conduct an audit of enrollment files under its authority to correct errors and administer the Tribal enrollment standards, and also to hire agents and representatives to act on its behalf to perform these governmental functions," Shaw wrote.

Shaw's other six rulings, filed by the estates of six people who have walked on, said that the Enrollment Ordinance only provides a process to living members to appeal their own proposed disenrollment and that the Tribe has the constitutional authority to remove deceased members after an administrative process is complete on a similarly situated living relative without an obligation to provide independent notice and administrative appeal.

The rulings in their entirety can be read on the Tribal website, www.grandronde.org, under the Tribal Court tab.

A family spokesperson said in a blog post that Chief Tumulth descendants plan to appeal Shaw's rulings to the three-judge Tribal Court of Appeals. ■

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Hunting & Fishing

Lifeways of the Grand Ronde People



Who: All Grand Ronde Tribal members.

What: We would like to record your family's hunting and fishing stories for inclusion in the Tribe's cultural and historical collections.

Where: Chachalu: Tribal Museum and Cultural Center

When: Starting September 1st, 2015

How: Contact Stacey Runningbird @ 503-879-2381





