

Tribal Council OKs Enrollment Ordinance changes

By Dean Rhodes

Smoke Signals editor

Tribal Council approved changes to the Tribe's Enrollment Ordinance that will now permit the consideration of Tribal case law when making enrollment decisions during its Wednesday, Sept. 26, meeting.

The proposed changes elicited record response from the membership with 243 comments submitted to the Tribal Attorney's Office. Of those, 45 supported the changes, 197 opposed them and one was for and against different parts of the amendments.

The changes, approved in a 4-3 vote, will allow Tribal Council to reinstate former members if it is appropriate under Tribal law, as well as Tribal case law.

Tribal Council Vice Chair Chris Mercier, Secretary Jon A. George and Tribal Council members Kathleen George and Michael Langley supported adoption of the amendments while Tribal Council members Jack Giffen Jr., Lisa Leno and Steve Bobb Sr. voted against them. George voted by phone and Tribal Council Chairwoman Cheryle A. Kennedy only votes in case of a tie. Denise Harvey was absent on business travel.

However, the ordinance amendments include limitations. The loss of membership had to have been decided by the Enrollment Board between July 2, 2014, and Jan. 28, 2018 – the time period during which the board was invested with making final determination regarding involuntary loss of membership cases – and the individual applying for reinstatement cannot have enrolled in another federally recognized Tribe. Applicants also

must meet the constitutional blood quantum requirements for membership at the time he or she was originally enrolled.

If reinstated, the person will be reassigned their original roll number and will not have rights to any Tribal benefits or payments they did not receive during the time they were disenrolled.

During the Tuesday, Sept. 25, Legislative Action Committee hearing, Tribal Council member Kathleen George said that the current council has inherited "a bit of a mess with enrollment on a number of levels" and that she favors the amendments because it will promote the ideal of Tribal laws applying equally to everyone.

However, Giffen and Bobb said they would oppose the amendments because Tribal Council ignored what a majority of respondents said in their comments.

"I feel that we really didn't address the comments appropriately. ... I think it is, in my opinion, disgraceful to the membership that did supply their comments," Giffen said.

However, George said that Tribal staff responded to and considered every comment received, and added that some opposing comments came from children as young as 6 years of age. Ten of the 197 opposing comments came from minors, according to the Tribal Attorney's Office.

The effect of the amendments is that Tribal case law – decisions handed down by the Tribal Court of Appeals – can now be taken into account when deciding individual enrollment cases.

This may allow for the re-enrollment of more Chief Tumulth descendants into the Tribe. In 2016,

the Tribal Court of Appeals ruled that the Tribe waited too long to disenroll 67 descendants of Chief Tumulth, a signer of the Willamette Valley Treaty of 1855 who never reached the Grand Ronde Reservation to appear on an official census roll because he was executed by the U.S. Army.

However, there are other disenrolled Chief Tumulth descendants who were not subject to that Court of Appeals ruling because they failed to file an appeal in a timely manner.

Kennedy said during the Tribal Council meeting that the amendments to the Enrollment Ordinance would bring fairness and justice to a Tribal family that has not been re-enrolled because of a legal technicality.

"This equally and fairly applies Tribal law to all members of the family," she said.

Former Tribal Council Chairman Reyn Leno said that he thinks the amendments are unconstitutional and that Tribal Council should leave the matter up to the Tribal court system.

"This is a huge slap in the face of our ancestors," Leno said. "There should be no back door to enrollment in this Tribe."

Mercier said the enrollment audit started in 2013 sent the Tribe down a "dark and divisive path" and that he can no longer support the disenrollment of Tribal members. "When you disenroll people, you are second-guessing a lot of decisions," he said.

Langley said the amendments are a small part of fixing the Tribe's enrollment morass, which was exacerbated by an audit that was done on the cheap. He said the original enrollment audit was bid at \$300,000 and then whittled down to \$90,000, and he expressed concern about what might have been missed by the auditors in an effort to save money.

Kennedy said the amendments are in the "best interest of the Tribe and community" to heal before Giffen called for the roll call vote.

In other action, Tribal Council approved the agenda for the 11 a.m. Sunday, Oct. 7, General Council meeting to be held in the Tribal Community Center. The presentations will include a financial update from Finance Officer Chris Leno in executive session and a status

report from the Tribal Lands Department in open session.

In other action, Tribal Council:

- Approved a new Microsoft software purchase agreement with SHI not to exceed \$175,000 a year over the next three years. The Tribe has been using Microsoft products for its administration and government operations since 2012;
- Re-appointed former Oregon Congresswoman Darlene Hooley and former Oregon Rep. Val Hoyle to the Spirit Mountain Community Fund Board of Trustees with terms expiring in September 2020;
- Removed former Tribal Council member Brenda Tuomi as an authorized signer for Tribal bank accounts and use of a Tribal credit card, and named Bobb in her place;
- Approved an amendment to the Tribe's Portland Harbor environmental services agreement with Industrial Economics, which extends the agreement to Sept. 20, 2019;
- Approved the 2019 harvest season licenses that are projected to earn the Tribe \$57,258 in revenue;
- Approved the Green Shark logging unit as presented by the Natural Resources Department. The unit is expected to produce approximately \$853,000 in revenue;
- Approved paying up to \$7,500 in annual dues to the Affiliated Tribes of Northwest Indians and named Giffen as the Tribe's primary delegate;
- Approved paying up to \$30,000 in annual dues to the National Congress of American Indians and appointed Tribal Council member Michael Langley as the Tribe's primary delegate;
- And approved the enrollment of four infants into the Tribe because they meet the criteria outlined in the Tribal Constitution and Enrollment Ordinance.

Tribal Elder Greg Archuleta made the cultural presentation to open the meeting and discussed the Table Rocks encampment held north of Medford over the Sept. 21-23 weekend.

The entire meeting can be viewed by visiting the Tribal website at www.grandronde.org and clicking on the News tab and then Video. ■

HEY KIDS!
Come be a part of this awesome day!
Just for the health of it!

AM Session
9:30 a.m.-12:30 p.m.
Get a free T-shirt
Games/ activities
Learn healthy habits for life
Learn about healthy foods
How to stay active
Lunch (Noon-1p.m.)
A healthy lunch will be provided!

PM Session
12:30-5 p.m.
Students will travel to Get Air Trampoline Park in Salem for a fun and healthy afternoon of jumping followed by a quick stop for some frozen yogurt

Time & Date
Oct. 12
9:30 a.m.-5 p.m.

Additional details
• 6th-12th grade Native students (Tribal preference)
• limited openings
• Students must participate in the AM session to join us for the trip to Get Air

Permission form & Get Air waivers
• Must complete YED permission slip and Get-Air waiver form in order to participate and to secure a spot

YED Contact Information
youtheducation@grandronde.org
Phone: 503-879-2101
Permission forms available at Youth Education Building "J"

GET AIR
Trampoline Park

Ad created by George Valdez

HEALTH & WELLNESS CENTER

NEW SIGN AT THE HWC
THE DESIGNATED AREA IN FRONT OF THE CLINIC IS FOR LOADING AND UNLOADING ONLY.

PICK-UP AND DROP-OFF ONLY
NO PARKING