

AN ACT RELATING TO
TRIBAL ENROLLMENT

BE IT ENACTED BY THE SNOQUALMIE TRIBAL COUNCIL

SECTION 1.0 – TITLE AND CODIFICATION

This Chapter shall be known as the Snoqualmie Tribal Enrollment Act and shall be codified as Title 2, Chapter 3 of the Snoqualmie Tribal Code.

SECTION 2.0 – STATUTORY AUTHORIZATION

The aboriginal and inherent sovereign powers of the Snoqualmie Indian Tribe to govern are vested in the Snoqualmie Tribal Council. The Snoqualmie Tribal Council has the authority to safeguard and promote the peace, safety, and moral and general welfare of the members of the Tribe by regulating the behavior and actions of all persons within the jurisdiction of the Tribe, and to provide for the enactment and enforcement of the laws of the Tribe. Snoq. Tr. Const. Art. VIII, Section 1(j). This authority includes the power to implement the membership requirements of the Snoqualmie Tribal Constitution. Snoq. Tr. Const. Art. II.

SECTION 3.0 – PURPOSE AND FINDINGS OF FACT

The purpose of this Chapter is to establish enrollment policies and procedures to implement Article II of the Snoqualmie Tribal Constitution. The Snoqualmie Tribal Council finds as a matter of Tribal public policy that the aims of its enrollment system are to:

- (a) Promote fair and objective standards for making enrollment decisions;
- (b) Establish clear and consistent guidance for reception and evaluation of enrollment applications;
- (c) Ensure the integrity of the Tribal membership roles; and
- (d) Protect the privacy of Tribal and individual enrollment data.

SECTION 4.0 – DEFINITIONS

The following words and terms, when used in this Chapter, shall have the following meanings, unless the context clearly indicates otherwise:

ADOPTION means admission to Tribal membership according to the provisions for adoption set forth in Article II, Section 1(c) of the Snoqualmie Tribal Constitution and section __ of this Chapter.

APPLICANT means any person who has formally applied for membership in the Snoqualmie Indian Tribe prior to approval or denial of the application.

CERTIFICATE OF DEGREE OF INDIAN BLOOD OR (CDIB) means the official document issued by the Bureau of Indian Affairs (“BIA”) stating a person’s degree of Indian blood. The CDIB is one of the documents used to meet the necessary evidentiary requirements of this Chapter. The CDIB is neither an enrollment nor a membership document.

CHIEF ENROLLMENT OFFICER means the person employed by the Snoqualmie Indian Tribe to direct the operations of the Tribal Enrollment Office as required in this Chapter.

COMMITTEE means the Enrollment Committee of the Snoqualmie Indian Tribe.

COUNCIL means the Snoqualmie Tribal Council.

DAYS means calendar days, excluding Saturdays, Sundays, and official holidays recognized by the Snoqualmie Indian Tribe or the Federal government.

DIRECT ANCESTOR means a person who is the biological parent, grandparent, great grandparent, and further descendants through whom enrollment rights are claimed.

ENROLLMENT means the process for applying to be formally recognized as a member of the Snoqualmie Indian Tribe.

ENROLLMENT RESOLUTION means an official Tribal Council resolution granting Tribal membership to a person who applied for Snoqualmie Tribal membership and was subsequently approved for enrollment by the Tribal Council.

NECESSARY EVIDENCE means all those documents that are essential to establishing that an applicant is eligible to be a member of the Snoqualmie Indian Tribe pursuant to Article II of the Snoqualmie Tribal Constitution and this Chapter.

ORIGINAL ENROLLEE means an individual who is listed on the Final Rolls of the Snoqualmie Indian Tribe as submitted to and accepted by the Bureau of Indian Affairs.

PERSON means any human being of any age or sex, whether or not a member of the Snoqualmie Indian Tribe.

RESERVATION means the initial Snoqualmie Indian Reservation.

ROLL means the census roll of the Snoqualmie Indian Tribe as kept and updated by the Snoqualmie Tribal Enrollment Office.

SECRETARY means the Secretary of the Interior of the United States, or a duly authorized representative.

SECRETARY OF TRIBAL AFFAIRS means the person within the Snoqualmie Indian Tribe who has been duly appointed by the Tribal Council to hold the constitutional office of Secretary of Tribal Affairs established pursuant to Article IX of the Snoqualmie Tribal Constitution.

SNOQUALMIE TRIBAL MEMBER means a person who is a duly enrolled member of the Snoqualmie Indian Tribe.

SECTION 5.0 – CONSTITUTIONAL REQUIREMENTS CONCERNING MEMBERSHIP

The membership of the Snoqualmie Indian Tribe shall consist of the following in accordance with Article II of the Snoqualmie Tribal Constitution:

- (a) All persons of Snoqualmie Indian blood whose names appear on Charles Roblin's schedule of Unenrolled Indians as of January 1, 1919.
- (b) All descendants of persons who qualify for membership under Article II, Section (1)(a) of the Snoqualmie Tribal Constitution (and section 5.0(a) of this Chapter), provided that such descendants possess at least one-eighth (1/8) degree of Snoqualmie Indian blood.
- (c) Any Indian person who is adopted in accordance with the acts and resolutions of the Snoqualmie Tribal Council, provided however that an Indian adoptee shall not be eligible to hold an elected office and shall not share in any judgment fund or per capita payments otherwise available to enrolled Snoqualmie Tribal members (those members who are enrolled under subsections (a) and (b) of this section. Indian adoptees shall have only those rights and privileges actually bestowed by the Tribal Council at the time of adoption.

SECTION 6.0 – BURDEN OF PROOF

At all times throughout the membership application process, the burden of proof to establish eligibility for membership shall rest with the applicant.

SECTION 7.0 – APPLICATION FOR ENROLLMENT

Every person seeking membership in the Snoqualmie Indian Tribe shall apply for membership consideration on forms developed by the Chief Enrollment Officer and approved by the Snoqualmie Tribal Council. The applicant shall follow the application process required by this Chapter. The application shall be completed fully, truthfully and completely by the applicant and shall contain all of the necessary evidence to demonstrate that the applicant is eligible for membership in the Snoqualmie Indian Tribe. The Chief Enrollment Officer, or their designee, may reject incomplete applications without prejudice to the applicant's right to revise and re-file a complete application.

SECTION 8.0 – APPLICATION CONTENT

An application for enrollment may be in any form approved by the Snoqualmie Tribal Council, but at a minimum shall contain the following information:

- (a) All names by which the applicant is known;

- (b) The current and complete address of the applicant;
- (c) One or more current telephone numbers and e-mail addresses of the applicant;
- (d) The applicant's claimed degree of Snoqualmie Indian blood;
- (e) The ancestral tree listing Snoqualmie ancestors dating back to Roblin's Roll;
- (f) A social security card number and certified copy of the card, or presentation of an original card for copying by the Enrollment Office;
- (g) A certified birth certificate from a county or state government;
- (h) A certified delayed birth certificate;
- (i) The names, addresses, telephone numbers and status of natural parents;
- (j) The name of the Tribe and degree of Indian blood of any other Indian Tribe as certified by the other Tribe;
- (k) The marital status of the applicant, together with a listing of the names, ages and dates of birth of the spouse and all minor children; and
- (l) The applicant's signature and date of filing of the application.

SECTION 9.0 – PROOF OF LINEAGE

The burden of proof of one's lineage is on the applicant. A true and valid birth certificate is a key document for establishing proof of lineage, but the Enrollment Committee may, in its discretion, require the submission of one or more of the following documents as proof of membership eligibility:

- (a) A marriage license for the parents of the applicant;
- (b) A notarized paternity affidavit signed by the biological mother and father of the applicant;
- (c) A court order determining paternity;
- (d) The results of DNA testing signifying the probability of paternity; or
- (e) Other documents as may be necessary to prove paternity and document the enrollment application.

SECTION 10.0 – PROCESSING OF ENROLLMENT APPLICATIONS

All applications shall be received by Enrollment Office personnel. Authorized actions that may be taken on an application by the Enrollment Office include:

- (a) Stamp the application form with the date on which it is received and acknowledge receipt of the application;
- (b) Make a folder for the application and supporting documents;
- (c) Make sure the application is complete. If not, notify the applicant of what is missing and required for completion;
- (d) If the applicant possess blood of any other Indian Tribe(s), check on possible enrollment in any other Tribe;
- (e) Compute the degree of Snoqualmie Indian blood;
- (f) Verify other Indian blood;
- (g) Segregate applications into stacks that appear to qualify for membership, do not appear to qualify for membership, and incomplete applications; and
- (h) Prepare certifications accepting and rejecting applications for consideration by the Enrollment Committee.

SECTION 11.0 – ENROLLMENT COMMITTEE

There is hereby created an Enrollment Committee consisting of at least three (3), but no more than five (5) members of the Snoqualmie Tribal Council. The Enrollment Committee shall have the following authorities:

- (a) To review each application for enrollment in a prompt and thorough way, preserving confidentiality where appropriate, and to determine which applicants meet the requirements for enrollment;
- (b) To recommend to the Tribal Council whether or not an applicant is eligible for enrollment as a Tribal member;
- (c) To present the Committee's recommendations and evidence to the Tribal Council in cases of disenrollment and reconsideration requests;
- (d) To establish the Committee's rules of procedures; and
- (e) To recommend to the Tribal Council amendments to this Chapter.

SECTION 12.0 – TRIBAL COUNCIL AUTHORITY OVER MEMBERSHIP DECISIONS

The Tribal Council shall have the following authorities and responsibilities regarding enrollment of Tribal members:

- (a) To appoint and set the compensation of an enrollment clerk;
- (b) To appoint an Enrollment Committee as provided for in Section 11.0 of this Chapter;
- (c) To approve or disapprove every application for Tribal membership submitted in accordance with this Chapter;
- (d) To authorize the removal from Tribal membership rolls any persons found to be ineligible for membership;
- (e) To approve all application forms and other forms required in procedures established by this Chapter; and
- (f) To reconsider a denied application for good cause shown by the applicant.
- (g) The Tribal Council or the General Council shall be the sole determinate of who is and who is not a member of the Snoqualmie Indian Tribe. Questions regarding enrollment, membership, benefits of membership, disenrollment and banishment are matters within the exclusive jurisdiction of the Snoqualmie Indian Tribe and shall not be justiciable in any court of law

SECTION 13.0 – CHIEF ENROLLMENT OFFICER

The Chief Enrollment Officer shall be appointed by the Tribal Council and shall have the following responsibilities:

- (a) To develop and recommend to the Tribal Council application forms required by the procedures set forth in this Chapter;
- (b) To give application forms and information on application procedures to all persons who wish to apply for enrollment;
- (c) To assist applicants for membership in locating and presenting in proper form all information and supporting documentation required for a complete application;
- (d) To review and verify the accuracy of all information provided by applicants and to initially determine which applicants meet the requirements for enrollment;
- (e) To bring each membership application and all information regarding the applicant's eligibility before the Enrollment Committee for review and Committee action prior to Tribal Council consideration;

- (f) To notify the Bureau of Indian Affairs of all persons accepted for enrollment or of all persons who are disenrolled by the Tribal Council;
- (g) To keep a current list of persons enrolled in the Snoqualmie Indian Tribe;
- (h) To bring before the Enrollment Committee any information which indicates that a person enrolled in the Tribe is not eligible for Tribal membership;
- (i) To report annually to the Tribal Council and the General Council the number of persons enrolled, disenrolled, and deceased during the preceding year;
- (j) To keep and to protect the confidentiality of all records pertaining to applicants' and enrolled members' eligibility;
- (k) To assist and advise the Enrollment Committee and to attend Enrollment Committee meetings; and
- (l) To maintain a public record of the types of Indian blood which have been the basis for eligibility for Tribal membership.

SECTION 14.0 – CONFIDENTIALITY OF ENROLLMENT RECORDS

- (a) Any official roll of Snoqualmie Tribal members shall be a Tribal public record in accordance with the Tribe's Central Records Management Act for inspection by any interested Tribal member and the Secretary of the Interior, or their designee. Non-Tribal members shall not normally be entitled to examine the Tribal rolls, unless authorized to do so by resolution of the Tribal Council.
- (b) Applications for enrollment and all records pertaining to applicants' and enrolled members' eligibility for membership shall be confidential. No person, except the Chief Enrollment Officer and employees of the Enrollment Department, the Enrollment Committee and Tribal Council members may examine enrollment records, other than their own records, without Tribal Council permission.
- (c) Documents relating to paternity proceedings submitted under this Chapter shall be protected as confidential and may not be used in establishing child support or any other right or privilege, except in determining blood quantum as it relates to eligibility for enrollment.

SECTION 15.0 – ENROLLMENT OF MINORS AND INCOMPETENT PERSONS

Minor Snoqualmie Indian dependents of adult enrolled members shall be carried on the non-adult dependent roll of the Snoqualmie Indian Tribe for the purposes of health and welfare benefits only. Upon reaching the age of eighteen (18), such minor dependents are potentially eligible for adult Tribal membership provided that they meet the preconditions of Article II of

the Snoqualmie Tribal Constitution, and provided that they submit an application for membership under the provisions of this Chapter.

SECTION 16.0 – DUAL ENROLLMENT PROHIBITED

- (a) Dual enrollment is prohibited. No person who is a member of another tribe may be enrolled into the Snoqualmie Indian Tribe. A person who otherwise meets the qualifications for membership in the Snoqualmie Indian Tribe may be considered for Snoqualmie Tribal membership if the person applying for membership consideration presents evidence of relinquishment of membership in the other Tribe.
- (b) A resolution of relinquishment is the preferred documentation, but a letter certifying relinquishment is also acceptable.

SECTION 17.0 – RELINQUISHMENT

- (a) An adult member of the Snoqualmie Indian Tribe may voluntarily relinquish his or her membership. A Tribal member who voluntarily relinquishes their membership may not seek re-enrollment as a member of the Snoqualmie Indian Tribe for a period of five (5) years following their initial relinquishment.
- (b) The Tribal membership of a minor may only be relinquished by the minor's parents or legal guardian. Relinquishment of membership by an adult shall be final. However, a minor whose membership has been relinquished by their parent or guardian may re-apply for Snoqualmie membership after reaching the age of eighteen (18).

SECTION 18.0 – DISENROLLMENT

A person may be disenrolled from the Snoqualmie Indian Tribe for any one of the following reasons:

- (a) Membership was obtained by fraud or deceit;
- (b) The enrolled member is banished by the Tribal or General Council;
- (c) The person legally belongs to and is enrolled in another Tribe;
- (d) The person was erroneously enrolled; or
- (e) The person voluntarily disenrolls.

SECTION 19.0 – ENROLLMENT HOPPING STRONGLY DISCOURAGED

The Snoqualmie Indian Tribe strongly disfavors the practice of enrollment hopping as detrimental to sound principles of good Tribal citizenship.

SECTION 20.0 - CONFLICTING ACTS OR RESOLUTIONS

All Snoqualmie Tribal Council acts and resolutions in conflict with this Chapter are hereby repealed.

SECTION 21.0 – SAVINGS PROVISIONS


Notwithstanding the provisions of Section 12(g) of this Chapter, should any provision of this Chapter be declared invalid by a court of competent jurisdiction, the remaining provisions shall not be affected.

SECTION 22.0 – DISTRIBUTION OF THIS CHAPTER

To prevent confusion for applicants and others, the Snoqualmie Tribal Enrollment Act shall always be distributed as a current and conformed document. Such distribution shall not prohibit applicants, members, or other authorized persons from examining the legislative history of this Chapter.

ENACTED BY THE SNOQUALMIE TRIBAL COUNCIL ON THE 14TH DAY OF OCTOBER 2004 IN SESSION DULY MET, WITH 7 FOR, 0 AGAINST, AND 0 ABSTAINING. TRIBAL COUNCIL ACT 04-04.

CODIFIED BY THE SNOQUALMIE TRIBAL SECRETARY ON THE 21 DAY OF October 2008.



TRIBAL SECRETARY 10-21-08