

BLUE LAKE RANCHERIA

ORDINANCE No. 88-03

**ORDINANCE OF THE BLUE LAKE RANCHERIA
HUMBOLDT COUNTY, STATE OF CALIFORNIA**

ENROLLMENT PROCEDURES OF THE BLUE LAKE RANCHERIA

SUBJECT: Rules and procedural requirements governing enrollment activities of the Blue Lake Rancheria.

WHEREAS: The Blue Lake Rancheria Business Council, on August 10, 1987, by formal Resolution No. 87-06, did adopt the Constitution for the management of all Tribal Affairs.

WHEREAS: Article III, Section 3, empowers the Business Council to adopt an Enrollment Ordinance consistent with the Constitution of the Blue Lake Rancheria governing the type and form of process for application for membership.

NOW THEREFORE BE IT KNOWN, that the Blue Lake Rancheria hereby adopts the following requirements and procedures to govern their enrollment activities, subject to review and approval by the Secretary of the Interior or his authorized representative.

D E F I N I T I O N S

Wherever used in this Ordinance, the terms defined in this section shall have the following meaning:

Adoption: Means granting tribal membership to individuals who meet specific requirements prescribed in this ordinance.

Adopted Child: A child who is not the biological child of a parent but who has had the parent/child relationship established by court decree who is of Indian Ancestry.

Area Director: The Area Director of the Sacramento Area Office, Bureau of Indian Affairs.

Assignment: Tribal land that is assigned to an individual to live on and use, but does not hold title to.

Business Council: The duly elected Business Council of the Blue Lake Rancheria.

SECTION II. ENROLLMENT COMMITTEE

The Business Council shall appoint a three (3) member Enrollment Committee from the General Council. One member shall be designated as the Chairperson and the remaining two (2) shall serve as committee members. The Committee shall serve for a period of two (2) years, but members may be reappointed upon the expiration of their two (2) year term. The Committee shall be directly responsible to the Business Council and shall dispense information regarding membership eligibility requirements and the enrollment process, distribute and receive application forms, review completed applications and present its recommendations to the Business Council for approval or disapproval.

C O N F I D E N T I A L I T Y

In order to protect the privacy of tribal members and of individuals applying for enrollment, meetings of the Committee or portions of the Committee's meetings during which individual applications are discussed shall be closed. However, the person whose application is under consideration may attend the meeting as may anyone whom they wish to be present to represent them or testify on their behalf. If a minor or incompetent is the person whose application is under consideration, the person making application on their behalf may also be present. The Enrollment Committee shall not provide its enrollment application records or information contained therein to persons other than those involved in the enrollment process without the consent of the applicant for enrollment in writing.

SECTION III. FILING MEMBERSHIP APPLICATIONS

All Indian persons desiring membership with the Blue Lake Rancheria, shall file written applications authorized by the Tribe. An application may be filed on behalf of anyone in need of assistance by a sponsor meaning, a parent, guardian, relative, friend, or a member of the Business Council or Enrollment Committee. Applications shall be filed with the Enrollment Committee within sixty (60) days after May 30th of each year.

SECTION IV. APPROVAL OR DISAPPROVAL OF MEMBERSHIP APPLICATIONS

The Business Council shall approve or disapprove applications for enrollment. Such action shall be based upon the recommendations of the Enrollment Committee and any other information or evidence available. All applicants shall be notified in writing of the Business Council determination. Applicants whose membership applications have been disapproved shall be notified by certified mail-return receipt requested of the reason(s) for such disapproval and the right to appeal the adverse determination.

Within thirty (30) days from approval of this ordinance, the Business Council shall establish a deadline for filing applications to appear on the initial roll. After final action has been taken on all applications, the roll shall be prepared reflecting the names of all approved members. In addition to the names of the members in alphabetical order, the roll shall contain the address, sex, date of birth, identification number, and degree of Indian blood for each member. The Business Council shall affix a signed certification as to the correctness of the roll and shall forward the roll, certification, and applications to the Superintendent for review and approval.

Thereafter, applications for enrollment may be filed with the Enrollment Committee, at General Council meetings, or at a designated time announced by the Enrollment Committee.

Should the Superintendent disagree with the tribe's decision on any application, he shall notify the applicant and the Enrollment Committee by certified mail-return receipt requested of the decision and the right to appeal the determination in accordance with Section V - Appeals, of this ordinance.

SECTION X. CERTIFICATION OF ROLL

After all appeals have been finalized, the Superintendent shall affix a certification to the roll certifying to its correctness and that the roll, to the best of his knowledge and belief contains only the names of Indian entitled to enrollment with the Blue Lake Rancheria. Unless otherwise directed by Congress, the approved roll shall be used for all official purposes.

SECTION XI. BLOOD DEGREE CORRECTIONS

The blood degrees listed on the initial roll approved in accordance with Section X of this ordinance shall be used as a basis to determine Indian ancestry of future applicants. Except for errors in blood degrees of a mathematical nature, no corrections will be made to blood degrees on the roll without a written request from an individual questioning his or an ancestor's blood degree. The request shall be initiated with the Enrollment Committee and will be forwarded for determination to the Assistant Secretary of Indian Affairs through the Business Council, Superintendent and Area Director.

In the event that the Assistant Secretary determines that a change is in order, each individual affected by the change shall be notified of the change by the Superintendent and shall have thirty (30) days to protest the change.

Once all protests have been reviewed and finalized, the change

This ordinance, or any section herein, may be amended by a majority vote of the General Council at a duly called regular or special meeting, and the amendment will become effective on review and approval of the Secretary of the Interior or his authorized representative.

ADOPTED THIS 12 DAY OF April, 1988.

John Johnson
Chairperson Blue Lake Rancheria Date 4-12-88

ATTESTED: Signature and Title Date

This ordinance has been reviewed and accepted by secret ballot by the General Council of the Blue Lake Rancheria with a vote of 7 for with 3 against and 0 abstained and 6 absent on April 10, 1988.

John Johnson
Chairperson of the General Council Date 4-12-88

ACKNOWLEDGED:

Superintendent, Bureau of Indian Affairs
Northern California Agency

APPROVED:

Area Director, Bureau of Indian Affairs
Sacramento Area Office

Having John
design, he
only needs to
Sign line on
Chairperson
General Council

SECTION XV. AMENDMENTS

This ordinance, or any section herein, may be amended by a majority vote of the General Council at a duly called regular or special meeting, and the amendment will become effective on review and approval of the Secretary of the Interior or his authorized representative.

ADOPTED THIS 15th DAY OF April, 1988.

Sequoia Daniel
Chairperson Blue Lake Rancheria

April 15, 1988
Date

ATTESTED: Signature and Title

Date

This ordinance has been reviewed and accepted by secret ballot by the General Council of the Blue Lake Rancheria with a vote of 7 for with 3 against and 0 abstained and 6 absent on April 10, 1988.

John Chapman
Chairperson of the General Council

Apr 12, 1988
Date

ACKNOWLEDGED:

Superintendent, Bureau of Indian Affairs
Northern California Agency

APPROVED:

Area Director, Bureau of Indian Affairs
Sacramento Area Office