



**BIG PINE BAND OF PAIUTE/SHOSHONE**  
*Big Pine Indian Reservation*

**ENROLLMENT ORDINANCE NO. 5**

**SUBJECT:** Rules and procedural requirements governing enrollment activities of the Big Pine Indian Reservation.

**WHEREAS:** Article III - Membership, Section 4, of the Band's Constitution and Bylaws provides that "The official membership roll shall be prepared in accordance with an ordinance adopted by the General Council. Such ordinance shall contain provisions for enrollment procedures, enrollment committees, application forms, approval or disapproval of applications, rejection notices, appeals, corrections, and provisions for keeping the roll on a current basis."

Now, Therefore, Be It Known, that the following rules and procedural requirements governing the enrollment activities of Big Pine Indian Reservation are hereby adopted and shall become effective on the date of approval.

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

1. "Standard Assignment" shall mean a formal right to use and occupy tribal land subject to the conditions set forth in the assignment Ordinance dated April 5, 1962.
2. "Assignee" refers to the holder of assignment.

### **SECTION I - ELIGIBILITY REQUIREMENTS FOR MEMBERSHIP**

The membership of the Big Pine Band of the Paiute/Shoshone Indians shall consist of those living persons in one of the following categories.

- (a) Persons who hold standard assignments on the Big Pine Reservation as of the effective date of the Tribe's Constitution and Bylaws (May 23, 1980), (Hereafter assignees).
- (b) Persons who are lineal descendants of assignees.
- (c) Persons who are one-fourth (1/4) degree Big Pine Paiute/Shoshone Indian.

## SECTION II - NON-ELIGIBILITY

Persons who meet the requirements of Section 1 (a), and 1 (b) of this article, but have received a Public Domain Allotment or allotment on another reservation, or are officially enrolled (on a roll approved by the Secretary of Interior or his authorized representative) or are recognized members of some other tribe or band shall not be eligible for membership with the Big Pine Band. A "recognized member of another tribe or band" is a person who has received a land-use assignment or has otherwise received benefits on another reservation or rancheria, except through inheritance.

## SECTION III - ADOPTION

Admission to membership through adoption shall be governed in accordance with an ordinance enacted by the General Council, and no ordinance shall become effective upon approval by the General Council.

## SECTION IV - ENROLLMENT COMMITTEE

An enrollment committee consisting of five (5) members shall be elected by the General Council within sixty (60) days after the effective date of this ordinance. Enrollment Committee members shall be elected to serve throughout the initial enrollment period. Any committee vacancies which occur shall be filled in the same manner that the original committee is appointed.

member of the enrollment committee may be removed by means of a resolution duly passed by a one-third vote of the general council. The enrollment committee shall be directly responsible to the General Council in the enrollment program. Among other duties assigned by the General Council, the enrollment committee shall dispense information regarding membership eligibility requirements, the enrollment process, distribute application forms to all applicants seeking membership with the tribe, and perform other related duties as necessary.

#### SECTION V - ENROLLMENT POLICIES

All persons desiring to be included on the membership roll must file a written application with the enrollment committee. Forms for this purpose will be furnished by the enrollment committee. If an individual otherwise eligible for membership under the provisions of Section 3. of this Ordinance has, at any time, relinquished in writing his right to membership with the Band such person shall not be enrolled.

#### SECTION VI - ENROLLMENT PERIODS

For purposes of preparing an initial membership roll of the Band, a period of ninety (90) days, beginning sixty (60) days after the effective date of this Ordinance, shall be allowed for interested persons to file an application with the enrollment committee.

For purposes of keeping the membership roll up-to-date, a person

who believes he is entitled to enrollment with the Band may file an application with the enrollment committee at any time.

## SECTION VII - APPROVAL AND DISAPPROVAL OF APPLICATIONS

Applications on behalf of a minor or mentally incompetent person may be executed by a parent, legal guardian, or other person responsible for his care. If a member of the enrollment committee has knowledge of a minor or mentally incompetent person for whom an application has not been filed, such official shall complete an application for the person and file it with the enrollment committee.

The enrollment committee shall review and arrive at a preliminary decision as to the eligibility of the applicant, based upon tribal records, information presented in the application or other sources of information. The enrollment committee shall refer the application together with a statement of facts supporting its preliminary decision, with a request for the review of the Bureau of Indian Affairs' records for any additional data which could either substantiate or refute the preliminary decision of the committee. A statement containing information found in the Bureau Affairs' records relative to the eligibility of the applicant the Bureau of Indian Affairs shall forward such statement to the enrollment committee. After receiving the statement, the enrollment committee shall, on the basis of the evidence thus accumulated, approve or disapprove the application.

## **SECTION VIII - APPEALS**

A person disapproved for enrollment shall be advised in writing by the enrollment committee of the reasons for their action and that its decision may be appealed to the Enrollment Committee within thirty (30) days following receipt of a rejection notice. Such appeals shall be filed with the enrollment committee. Review of the appeal in turn will be referred to the Tribal Council.

## **SECTION IX - RE-EVALUATION OF APPLICATION**

Should the committee subsequently find that a person misrepresented or omitted facts which might have made him ineligible or eligible for enrollment in the first instance, his application shall be re-evaluated in accordance with the procedures for processing an original application. Any action for removal from the roll should be subject to the right of appeal by either party. The enrollment committee may re-evaluate disapproved applications after time limitations for appeals have expired if the applicant can produce evidence which apparently would have made him eligible in the instance, but which was not available when the original application was filed or during the appeal period.

## **SECTION X - MEMBERSHIP ROLL PREPARATION**

After final action has been taken on all application forms, the membership roll shall be prepared reflecting the names of all

approved members. In addition to the member's last, first, middle, and maiden name (if applicable), the roll shall include such information as date of birth, sex, blood degree, eligibility reference and other information.

## SECTION XI - CERTIFICATION OF ROLL

After all appeals have been determined, the enrollment committee shall affix a certification to the initial membership roll, certifying that the roll, to the best of their knowledge and belief, contains only the name of those Indians who were determined to meet the requirements for enrollment prescribed by these regulations. A copy will be provided to the Central California Agency for information. Tribal identification cards embossed with the tribal seal will be issued to approved tribal members.

## \* SECTION XII - KEEPING MEMBERSHIP ROLL CURRENT \*

The enrollment committee, shall be responsible for revising the membership roll annually, or on a designated date, by (a) removing the names of deceased persons upon receipt of documentary evidence, (b) adding the names of persons who meet the enrollment requirements of this Ordinance. (c) making necessary corrections such as deleting from the roll the names of persons who were erroneously, fraudulently, or otherwise incorrectly enrolled, or who have relinquished their membership, evidence of which shall be given in a written request.



## SECTION XIII - USE OF MEMBERSHIP ROLL

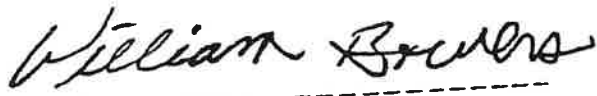
The current membership roll shall be used for all official purposes except that when used for the distribution of tribal trust assets it shall first require approval of the Secretary of the Interior, or his authorized representative.

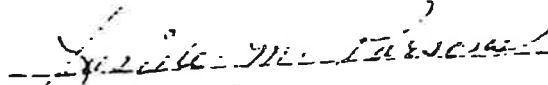
### C E R T I F I C A T I O N

We, the undersigned, duly elected officers of the Big Pine Indian Reservation do certify that the foregoing Ordinance was enacted by the qualified voters of the Big Pine Indian Reservation at a duly called special meeting at which a quorum was present on NOVEMBER 8 1988. by a vote of 31 "for" and 11 "Against" and that this Ordinance has not be rescinded or amended in any manner.

NOVEMBER 11, 1988  
Date

  
Chairperson  
Big Pine Indian Reservation

ATTEST:   
Secretary  
Big Pine Indian Reservation

 FEBRUARY 23, 1990  
Chairperson  
Big Pine Enrollment Committee

