

**ENROLLMENT ORDINANCE**

**No. 1-68**

**ASSINIBOINE AND GROS VENTRE TRIBES OF THE FORT  
BELKNAP COMMUNITY OF MONTANA**

**PROCEDURES GOVERNING ENROLLMENT**

**WHEREAS, THIS CORPORATION IS AN INDIAN CHARTERED CORPORATION AS DEFINED BY THE INDIAN REORGANIZATION ACT OF JUNE 18, 1934, AND UNDER ITS CHARTER, CONSTITUTION AND BYLAWS AS APPROVED BY THE SECRETARY OF THE INTERIOR, HAS FULL POWER AND AUTHORITY TO PRESCRIBE RULES TO BE FOLLOWED IN COMPILING A MEMBERSHIP ROLL UNDER SECTION 8, ARTICLE 111, OF THE BYLAWS WHICH READS AS FOLLOWS: "SECTION 8, RULES OF PROCEDURE, IN COMPILING A MEMBERSHIP ROLL IN ACCORDANCE WITH THE PROVISIONS OF THIS ARTICLE, CASE OF DISTRIBUTION OF COMMUNITY ASSETS, THE ROLL SHALL BE SUBMITTED TO THE SECRETARY OF THE INTERIOR FOR FINAL APPROVAL", AND**

**WHEREAS, THE FORT BELKNAP COMMUNITY COUNCIL ENACTED ORDINANCE NO. 1-66, WHICH ESTABLISHED PROCEDURES GOVERNING ENROLLMENT, AND**

**WHEREAS, REVISIONS HAVE BEEN SUGGESTED FOR CERTAIN SECTIONS OF ORDINANCE NO. 1-66 WHICH WOULD BE MORE APPROPRIATE FOR THE COUNCIL'S USE;**

**NOW, THEREFORE BE IT ENACTED, THAT THE FORT BELKNAP COMMUNITY COUNCIL HEREBY ADOPTS THE REVISIONS AS PROPOSED AND WHICH ARE INCORPORATED HEREIN.**

**BE IT FURTHER ENACTED, THAT THIS ORDINANCE RESCINDS ORDINANCE NO. 1-66 AND SUPERSEDES ALL OTHER ORDINANCES WHICH ARE IN CONFLICT HEREWITH.**

**SECTION 1. DEFINITIONS.**

- A. "COMMUNITY" MEANS FORT BELKNAP INDIAN COMMUNITY OF FORT BELKNAP RESERVATION IN THE STATE OF MONTANA.**
- B. "APPLICANT" MEANS THE INDIVIDUAL WHO DESIRES TO BE ENROLLED WITH THE FORT BELKNAP INDIAN COMMUNITY.**
- C. "SECRETARY" MEANS SECRETARY OF THE INTERIOR OR HIS AUTHORIZED REPRES**

- D. "SUPERINTENDENT" MEANS OFFICER IN CHARGE OF FORT BELKNAP AGENCY OR HIS DESIGNATED REPRESENTATIVE.
- E. "COMMITTEE" MEANS THE GROUP APPOINTED AND AUTHORIZED TO REVIEW APPLICATIONS FOR ENROLLMENT.
- F. "ENROLLMENT" MEANS ACCEPTANCE AS COMMUNITY MEMBER BY THE COMMUNITY COUNCIL.
- G. "EVIDENCE OF ELIGIBILITY" MEANS SUCH DOCUMENTS AS NOTARIZED LETTERS OF AFFIDAVIT, TRIBAL OR AGENCY RECORDS, BIRTH OR BAPTISMAL CERTIFICATES, AND CERTIFIED DOCUMENTS FROM INDIVIDUALS OR THE AGENCY.

**SECTION 2. ELIGIBILITY FOR ENROLLMENT.**

**A. ORIGINAL MEMBERS OF COMMUNITY.**

EVERY LIVING PERSON WHOSE NAME APPEARS ON THE ALLOTMENT ROLL OF THE FORT BELKNAP RESERVATION PREPARED AND APPROVED PURSUANT TO THE ACTION OF MARCH 3, 1921 (41 STAT. 1355) SHALL BE ENTITLED TO MEMBERSHIP IN THE FORT BELKNAP INDIAN COMMUNITY.

**B. DESCENDANTS OF ALLOTTEES.**

~~EACH PERSON OF ONE FOURTH (1/4) OR MORE INDIAN BLOOD, REGARDLESS OF RESIDENCE, BORN BEFORE JANUARY 19, 1959, OR EVERY~~ EACH PERSON OF ONE FOURTH EIGHTH (1/8) OR MORE INDIAN BLOOD, AS DEFINED IN THE CONSTITUTION, REGARDLESS OF RESIDENCE, BORN HERETOFORE OR HEREAFTER OR COMBINATOIN THEREOF, THEREAFTER TO ANY MEMBER OR DESCENDANT OF A MEMBER OF THE COMMUNITY WHOSE NAME WAS OR IS ON THE ALLOTMENT ROLL OF THE FORT BELKNAP RESERVATION PREPARED AND APPROVED PURSUANT TO THE ACT OF MARCH 3, 1921 (41 STAT. 1355) SHALL AUTOMATICALLY BE ENTITLED TO MEMBERSHIP IN THE COMMUNITY. (makes language consistent with constitution) res.#160-2001

- C. **ADOPTION.** THE COMMUNITY MAY BY A MAJORITY OF THE VOTES CAST BY THE MEMBERS OF THE COMMUNITY, ADOPT AS A MEMBER OF THE COMMUNITY ANY PERSON OF ONE-EIGHTH (1/8) OR MORE INDIAN BLOOD, BORN BEFORE JANUARY 19, 1959; OR ANY PERSON OF ONE-EIGHTH (1/8) OR MORE GROS VENTRE OR ASSINIBIONE INDIAN BLOOD, OR COMBINATION THEREOF, BORN THEREAFTER, WHO IS A MEMBER OF THE FORT BELKNAP COMMUNITY AND/OR AN ALLOTTEE, PROVIDED THAT ANY PERSON TO BE ELIGIBLE FOR ADOPTOIN MUST HAVE RESIDED ON THE FORT BELKNAP RESERVATION AT ANY ONE TIME AT LEAST THREE (3) CONSECUTIVE YEARS, AND PROVIDED FURTHER THAT SUCH PERSON HAS NOT RECEIVED MEMBERSHIP IN ANY OTHER TRIBE OF INDIANS.

**A FEE OF \$5.00 FOR AN APPLICATION FOR ENROLLMENT BY ADOPTION SHALL BE CHARGED, AFTER EFFECTIVE DATE OF THIS ORDINANCE. INDIVIDUALS WHO QUALIFY FOR ENROLLMENT BY ADOPTION SHALL BE LISTED AND VOTED ON INDIVIDUALLY EITHER AT A GENERAL ELECTION OR ANY SPECIAL ELECTION THAT MAY BE DULY CALLED. INDIVIDUALS ACCEPTED THROUGH A MAJORITY OF THE VOTES CAST WILL THEN BE TAKEN INTO TRIBAL MEMBERSHIP THROUGH A CERTIFICATION OF THE ELECTION FILED WITH THE COUNCIL. INDIVIDUALS REJECTED FOR ENROLLMENT BY ADOPTION SHALL BE NOTIFIED BY CERTIFIED MAIL.**

**SECTION 3. ENROLLMENT COMMITTEE.**

**THE EXECUTIVE AND FINANCE COMMITTEE OF THE COMMUNITY COUNCIL SHALL CONSTITUTE THE ENROLLMENT COMMITTEE. THIS COMMITTEE SHALL REVIEW ALL APPLICATIONS FOR MEMBERSHIP AND RECOMMEND TO THE COMMUNITY COUNCIL APPROVAL OR REJECTION. THEY SHALL HAVE AUTHORITY TO REQUIRE THE APPLICANT TO FURNISH SUCH EVIDENCE OR PROOF AS THE COMMITTEE DEEMS NECESSARY TO MAKE APPROPRIATE RECOMMENDATIONS TO THE COUNCIL. THE ENROLLMENT COMMITTEE SHALL MEET MONTHLY OR AS NECESSARY. THE COMMITTEE SHALL ALSO DEVELOP AN APPLICATION FORM FOR USE IN MAKING AN APPLICATION FOR ENROLLMENT.**

**THE COMMITTEE SHALL CHARGE A FEE OF \$2.00 FOR EACH APPLICATION FILED AFTER EFFECTIVE DATE OF THIS ORDINANCE, FOR PROCESSING REGULAR ENROLLMENT APPLICATIONS.**

**SECTION 4. ACTION ON APPLICATION.**

- A. THE COMMUNITY COUNCIL ON RECOMMENDATIONS OF THE ENROLLMENT COMMITTEE SHALL WITHIN 90 DAYS APPROVE OR REJECT THE APPLICATIONS FOR ENROLLMENT, AND SHALL ACCORDINGLY ENACT A RESOLUTION TO ENROLL OR REJECT THE APPLICANTS. THE COMMUNITY COUNCIL SHALL FURTHER INSTRUCT THE TRIBAL SECRETARY COMMUNITY, FOR THIRTY (30) DAYS. PUBLICATION SHALL BE CONSIDERED ADEQUATE IF POSTED IN THE COMMUNITIES FOR THIRTY (30) DAYS. THEREAFTER, THE COUNCIL SHALL MEET AND CONSIDER EACH APPLICATION, EITHER AFFIRMING OR OVERTURNING THE ACTION OF THE COMMITTEE. SHOULD PROTESTS BE RECEIVED ON PROPOSED ACTION ON APPLICATIONS, THE COUNCIL SHALL CONDUCT A HEARING THEREON BEFORE ITS FINAL ACTION ON APPLICATION. ONCE CONSIDERED, A PROTESTOR MAY NOT RENEW TO ENTER THE NAMES OF APPLICANTS APPROVED FOR ENROLLMENT ON THE OFFICIAL TRIBAL MEMBERSHIP ROLL, STATING UNDER WHAT AUTHORITY ENROLLMENT IS APPROVED. THOSE WHOSE APPLICATIONS WERE NOT APPROVED SHALL BE NOTIFIED BY CERTIFIED MAIL, STATING THE REASON WHY THEY WERE NOT APPROVED.**

- B. TO EFFECT ACTION ON AN APPLICANT, EACH ENROLLMENT APPLICATION SHALL FIRST BE BROUGHT TO THE ENROLLMENT COMMITTEE FOR CONSIDERATION. THE ACTION TAKEN BY THE ENROLLMENT COMMITTEE, WHETHER TO APPROVE OR DISAPPROVE, SHALL BE PUBLISHED IN THE TRIBAL LEWSLETTER, IF ANY, AND POSTED IN EACH RESERVATION THE SAME PROTEST BEFORE THE COUNCIL AS SET FORTH IN SECTIONS 8 THROUGH 13 OF THIS ORDINANCE, BUT MAY PURSUE REVIEW RIGHTS SET FORTH IN SECTIONS 14 AND 15.** (amended by res #160-2001)
- C. ONCE FAVORABLE COUNCIL ACTION HAS BEEN TAKEN ON AN ENROLLMENT APPLICATION, THE INDIVIDUAL SHALL BE CONSIDERED ENROLLED, AND THEIR NAME PLACED ON THE OFFICIAL ROLL, SUBJECT ONLY TO RESCISSION OF SUCH ACTION BECAUSE OF A SUCCESSFUL PROTEST. UNTIL COUNCIL ACTION TO APPROVE AN ENROLLMENT APPLICATION, AFTER COMMITTEE REVIEW AND PUBLICATION OF RECOMMENDATIONS, NO MEMBERSHIP RIGHTS SHALL BE INFERRED. ONCE COUNCIL ACTION IS TAKEN, AN INDIVIDUAL SHALL BE CONSTRUED AS ENROLLED FROM THAT DATE FORWARD UNLESS RESCISSION ACTION IS TAKEN.** (amended by Res.160-2001)

**SECTION 5. APPLICATIONS FOR ENROLLMENT.** (NEW LANGUAGE IS UNDERLINED)- MOD.11-97

- A. ENROLLMENT ELIGIBILITY. ANY PERSON WHO BELIEVES HE/SHE MEETS THE REQUIREMENTS FOR MEMBERSHIP IN THE FORT BELKNAP COMMUNITY, AS PROVIDED IN SECTION 2 OF THESE PROCEDURES, MAY SUBMIT TO THE ENROLLMENT COMMITTEE AN APPLICATION FOR ENROLLMENT. INDIVIDUALS SHALL BE CONSIDERED FOR ENROLLMENT UPON COMPLETION OF AN APPROVED APPLICATION FOR ENROLLMENT, DEMONSTRATING ELIGIBILITY FOR ENROLLMENT, ACCOMPANIED BY A LONG FORM, CERTIFIED BIRTH CERTIFICATE AND A CERTIFIED COPY OF HIS OR HER PARENTS' MARRIAGE LICENSE.**
- B. APPLICATIONS FOR PERSONS LEGALLY HANDICAPPED, SUCH AS MINOR CHILDREN AND INCOMPETENTS, MAY BE FILED BY A PARENT, NEXT OF KIN, RECOGNIZED GUARDIAN, OR OTHER PERSON RESPONSIBLE FOR THEIR CARE. AT LEAST ONE SUPPORTING DOCUMENT AS EVIDENCE OF ELIGIBILITY. A PERSON ACTING ON BEHALF OF AN APPLICANT SHALL SHOW BY WHAT AUTHORITY HE/SHE IS ACTING AS A SPONSOR.**
- C. ENROLLMENT OF A NEW BORN CHILD IS THE RESPONSIBILITY OF THE PARENT, GUARDIAN, OR NEXT OF KIN. AN APPLICATION FOR ENROLLMENT FOR CHILDREN BORN AFTER THE EFFECTIVE DATE OF THIS ORDINANCE MUST BE FILED WITH THE COMMITTEE IN BEHALF OF THE INFANT AND MUST BE SUPPORTED BY DOCUMENTARY EVIDENCE OF ELIGIBILITY. A PERSON ACTING ON BEHALF OF AN APPLICANT SHALL SHOW BY WHAT AUTHORITY IS/SHE IS ACTING AS A SPONSOR.**

- D. CHILD OF UNWED PARENTS. IF A CHILD IS BORN OF PARENTS WHO WERE NOT LEGALLY MARRIED AT THE TIME OF BIRTH, PATERNITY MUST BE ESTABLISHED IN A COURT OF COMPETENT JURISDICTION PRIOR TO THE ACCEPTANCE OF AN ENROLLMENT APPLICATION FOR SUCH CHILD. EVIDENCE OF SUCH ADJUDICATION SHALL BE IN THE FORM OF A CERTIFIED COPY OF THE ORDER ADJUDICATING SUCH ISSUE. IN ADJUDICATING PATERNITY FOR THESE PURPOSES, THE COURT IN WHICH SUCH ACTION IS FILED MAY USE WHATEVER MEANS AT LAW ARE ALLOWABLE, BUT FOR PURPOSES OF THIS ORDINANCE, THE PREFERRED MANNER OF PROOF IS DNA TESTING, WHICH SHALL BE REQUIRED, UNLESS GOOD CAUSE EXISTS TO PREVENT SUCH TESTING.
- E. RECOGNITION OF COMMON LAW MARRIAGES. FOR PURPOSES OF ENROLLMENT, INDIVIDUALS CLAIMING TO BE WED BY "COMMON LAW" MUST HAVE SUCH STATUS ADJUDICATED IN A COURT OF COMPETENT JURISDICTION. TO BE SUFFICIENT TO AVOID THE REQUIREMENT OF ADJUDICATION OF PATERNITY, PARENTS OF AN INDIVIDUAL WHO IS THE SUBJECT OF AN ENROLLMENT PETITION MUST DEMONSTRATE, THROUGH A CERTIFIED COPY OF A COURT ORDER, THAT THEY WERE CONSIDERED LEGALLY MARRIED AT THE TIME OF THE BIRTH OF THE CHILD INVOLVED.
- F. CHALLENGES TO ENROLLMENT APPLICATIONS. ANY MEMBER OF THE COUNCIL, OR INDIVIDUAL MEMBERS OF THE COMMUNITY MAY CHALLENGE THE CLAIMED PATERNITY OF AN INDIVIDUAL PRIOR TO THE TIME OF ENROLLMENT. TO EFFECT A CHALLENGE, THE CONCERNS ABOUT PATERNITY MUST BE STATED IN WRITING AND SUBMITTED TO THE COUNCIL FOR CONSIDERATION. IF THE COUNCIL DEEMS THE CHALLENGE SHOULD BE CONSIDERED, A HEARING TIME SHALL BE SCHEDULED, THE APPLICANT AND HIS/HER PARENTS SHALL BE INFORMED OF THE CHALLENGE, AND ALL PARTIES GIVEN THE OPPORTUNITY TO EXPRESS THEIR POSITIONS EVIDENCE AND REASONING. THE DECISION OF THE TRIBAL COUNCIL SHALL BE FINAL, SUBJECT ONLY TO A REQUEST FOR REHEARING, IF AN INDIVIDUAL BELIEVES THAT SPECIFIC EVIDENCE OR ARGUMENT WERE NOT FULLY CONSIDERED OR COULD NOT BE FULLY DEVELOPED, BECAUSE OF EXCUSABLE NEGLECT OR OTHER GOOD CAUSE.

**SECTION 6. APPLICATION FORM.**

- A. **APPLICATION FORMS FOR ENROLLMENT MAY BE OBTAINED FROM FORT BELKNAP COMMUNITY COUNCIL OFFICE OR THE FORT BELKNAP AGENCY OFFICE.**
- B. **THE FORM, "APPLICATION FOR ENROLLMENT", SHALL CONTAIN THE FOLLOWING INFORMATION:**
1. **NAMES AND ADDRESS OF THE APPLICANT.**
  2. **INDIAN, MAIDEN OR OTHER NAMES BY WHICH APPLICANT IS KNOWN.**
  3. **DATE OF PLACE OF BIRTH OF THE APPLICANT.**
  4. **RESIDENCE OF PARENTS AT TIME OF APPLICANTS BIRTH .**

5. IF THE APPLICANT IS A MNOR OR INCOMPETENT, THE NAME, ADDRESS, AND RELATIONSHIP, IF ANY, OF THE PERSON MAKING THE APPLICATION.
6. THE NAME, ADDRESS, AND DEGREE OF INDIAN BLOOD, BOTH TRIBAL AND TOTAL, (AS VERIFIED OR CORRECTED BY THE ENROLLMENT COMMITTEE IN ACCORDANCE WITH OFFICIAL RECORDS) OF EACH PARENT OF THE APPLICANT.
7. CERTIFICATION BY APPLICANT OR HIS AGENT THAT THE INFORMATION GIVEN IS TRUE, AND IF FOUND FRADULENT IN ANY WAY WILL BE GROUNDS FOR REMOVAL OF THE APPLICANT'S NAME FROM THE MEMBERSHIP ROLL.
8. CERTIFICATION BY ENROLLMENT COMMITTEE THAT APPLICANT IS NOT ALREADY ENROLLED WITH TRIBES OF RESERVATIONS OTHER THEN FORT BELKNAP WHERE APPLICANT MAY BE ELIGIBLE FOR ENROLLMENT.
9. NOTATION THAT HANDLING CHARGES FOR ENROLLMENT APPLICATION HAVE BEEN PAID AND NUMBER AND DATE OF RESOLUTION PERTAINING TO APPLICATION.

C. APPLICATIONS MAY BE PROCURED AT THE TRIBAL OFFICE AND SUCH OTHER PLACES AS THE ENROLLMENT COMMITTEE SHALL DESIGNATE.

**SECTION 7. BURDEN OF PROOF.**

IT IS THE RESPONSIBILITY OF THE APPLICANT TO PROVE HIS ELIGIBILITY FOR ENROLLMENT.

**SECTION 8. APPEAL AND PROTEST PROCEDURE.**

- A. AN APPEAL IS A WRITTEN REQUEST FOR RECONSIDERATION OF THE ENROLLMENT OF AN INDIVIDUAL.
- B. A PROTEST IS A WRITTEN STATEMENT CONTESTING THE OMISSION OR INCLUSION OF AN INDIVIDUAL'S NAME ON THE MEMBERSHIP ROLL.
- C. THE APPEAL AND PROTEST PROCEDURE SHALL ALSO BE USED FOR ROLLS FOR THE DISTRIBUTION OF TRIBAL ASSETS.

**SECTION 9. WHO MAY APPEAL OR PROTEST.**

- A. ANY MEMBER OF THE FORT BELKNAP COMMUNITY ON BEHALF OR AGAINST ANY INDIVIDUAL.
- B. EITHER PARENT, GUARDIAN, OR NEXT OF KIN OF ANY MINOR OR INCOMPETENT INVOLVED.
- C. ANY PERSON WHOSE ENROLLMENT IS IN QUESTION, OR WHOSE APPLICATION FOR ENROLLMENT HAS BEEN REJECTED.

**D. THE SUPERINTENDENT, AS A REPRESENTATIVE OF THE SECRETARY OF THE INTERIOR.**

**SECTION 10. EXCEPTION TO WHO MAY APPEAL.**

**NO APPEAL MAY BE FILED BY THOSE INDIVIDUALS OR IN BEHALF OF THOSE INDIVIDUALS REJECTED FOR ADOPTION, AS SET FORTH IN SECTION 2 ( C ) OF THIS PROCEDURE.**

**SECTION 11. FILING APPEAL OR PROTEST.**

**AN APPEAL OR PROTEST MAY BE MADE AT ANY TIME WITHIN TWO (2) YEARS AFTER EFFECTIVE DATE OF THIS ORDINANCE, OR WITHIN 60 DAYS AFTER NOTICE OF REJECTION FOR ENROLLMENT, EXCEPT THAT ORIGINAL MEMBERS OF THE COMMUNITY (SECTION 2(A) OF THIS PROCEDURE) SHALL BE PLACED ON THE MEMBERSHIP ROLL IMMEDIATELY ON DISCOVERY OF ERROR IN EVENT OF THEIR OMISSION. A REQUEST FOR RECONSIDERATION MAY BE MADE BACK TO THE COMMUNITY COUNCIL WHO MAY ITSELF RESCIND AN EARLIER DECISION.**

**FAILURE TO FILE AN APPEAL OR PROTEST WITHIN THE DEADLINE SHALL BE CONCLUSIVE EVIDENCE OF NON-INTEREST.**

**AN APPEAL OR PROTEST SHALL BE WRITTEN AND ADDRESSED TO THE SECRETARY OF THE INTERIOR, BUT SENT DIRECT TO THE ENROLLMENT COMMITTEE FOR INITIAL CONSIDERATION OR RECOMMENDATION.**

**SECTION 12. SUPPORTING EVIDENCE.**

**ALL APPEALS AND PROTESTS SHALL BE SUPPORTED BY OFFICIAL DOCUMENTS, RECORDS, AND EVIDENCE, BEARING ON THE QUESTION RAISED AS PROOF OF ELIGIBILITY FOR ENROLLMENT, OR INCLUSION OR DELETION FROM THE ROLL.**

**SECTION 13. REVIEW OF APPEAL OR PROTEST BY COMMUNITY COUNCIL.**

**THE COMMUNITY COUNCIL SHALL HAVE THE PRIVILEGE OF EXAMINING AND APPEAL OR PROTEST, TAKING INTO CONSIDERATION ADDITIONAL DOCUMENTS AND PREPARING SUCH EVIDENCE AS IT MAY CONSIDER PROPER IN SUPPORT OF ITS ACTION. THE COUNCIL SHALL HAVE 60 DAYS FROM RECEIPT OF AN APPEAL OR PROTEST IN WHICH TO ACT OR PREPARE IN WRITING PERTINENT STATEMENTS, SUPPORTED BY TRIBAL OR AGENCY RECORDS, WHICH HAVE A BEARING ON THE CASE.**

- A. IF THE COMMUNITY COUNCIL, UPON REVIEW OF AN APPEAL OR PROTEST, IS SATISFIED THAT THE RIGHT OF THE INDIVIDUAL HAS BEEN ESTABLISHED, IT SHALL ENACT A RESOLUTION TO INCLUDE THE NAME OF THE APPLICANT ON THE OFFICIAL TRIBAL MEMBERSHIP ROLL, OR, IN THE CASE OF A PROTEST, OMIT OR**

INCLUDE THE NAME IN ACCORDANCE WITH THE DECISION. THE COUNCIL SHALL FURTHER INSTRUCT THE TRIBAL SECRETARY TO HAVE THE NAME ADDED TO OR REMOVED FROM THE ROLL, AS THE CASE MAY BE, AND NOTIFY THE INDIVIDUAL OF THE ACTION TAKEN.

- B. IF THE COUNCIL UPON REVIEW OF AN APPEAL OR PROTEST RULES AGAINST THE INDIVIDUAL BEING CONSIDERED FOR ENROLLMENT, ALL PERTINENT RECORDS, TRANSCRIPTS OF HEARINGS, COPIES OF AN AFFIDAVITS AND DOCUMENTS CONSIDERED, MINUTES OF ANY MEETINGS OF THE ENROLLMENT COMMITTEE, AND/OR COMMUNITY COUNCIL, WHICH ACTED ON THE APPLICATION, COPY OF TRIBAL CONSTITUTION OR MEMBERSHIP ORDINANCE APPLICABLE AND A COPY OF THE RECOMMENDATIONS OF THE ENROLLMENT COMMITTEE AND COMMUNITY COUNCIL SHALL BE ATTACHED. THE APPEAL OR PROTEST THEN, WITH ALL ATTACHMENTS, SHALL BE SENT TO THE AREA DIRECTOR, THROUGH THE SUPERINTENDENT.

**SECTION 14. ACTION BY THE AREA DIRECTOR.**

- A. IF UPON REVIEW OF THE APPEAL OR PROTEST AND EVIDENCE ATTACHED, THE AREA DIRECTOR IS SATISFIED THE RIGHT TO ENROLLMENT OR INCLUSION OR DELETION OF AN INDIVIDUAL ON THE ROLL HAS BEEN ESTABLISHED, NOTIFICATION IS SENT TO THE FORT BELKNAP SUPERINTENDENT AND COMMUNITY COUNCIL. THE COUNCIL THEN SHALL ENACT A RESOLUTION TO ENROLL THE INDIVIDUAL, DELETE, OR ADD HIS NAME TO THE ROLL. THE INDIVIDUAL SHALL THEN BE NOTIFIED.
- B. IF UPON REVIEW OF THE APPEAL OR PROTEST AND EVIDENCE ATTACHED THE AREA DIRECTOR DETERMINES THE INDIVIDUAL IS INELIGIBLE FOR ENROLLMENT, HE SHALL FORWARD THE APPEAL OR PROTEST, TOGETHER WITH ALL ATTACHMENTS AND HIS RECOMMENDATIONS TO THE COMMISSIONER FOR REFERRAL TO THE SECRETARY OF THE INTERIOR.

**SECTION 15. DECISION OF THE SECRETARY ON APPEALS AND PROTESTS.**

THE DECISION OF THE SECRETARY, AFTER CONSIDERATION OF ALL THE EVIDENCE, SHALL BE FINAL. WHEN SO DIRECTED BY A FAVORABLE DECISION OF THE SECRETARY, THE COMMUNITY SHALL INCLUDE THE NAME OF THE INDIVIDUAL ON THE ROLL, OR DELETE THE NAME AS THE CASE MAY BE, AND SEND NOTIFICATION TO THE INDIVIDUAL CONCERNED.

**SECTION 16. ADOPTED CHILDREN, THEIR ELIGIBILITY FOR ENROLLMENT.**

- A. NON-INDIAN CHILDREN ADOPTED BY MEMBERS OF THE COMMUNITY ARE NOT ELIGIBLE FOR ENROLLMENT.
- B. CHILDREN OF INDIAN DESCENT ADOPTED BY MEMBERS OF THE COMMUNITY MAY NOT BE ENROLLED, UNLESS THEY MEET THE REQUIREMENTS FOR ENROLLMENT IN THE FORT BELKNAP



COMMUNITY OR ARE ADOPTED, AS SPECIFIED IN SECTION 2 (C) OF THIS PROCEDURE.

- C. CHILDREN OF TRIBAL MEMBERS ADOPTED BY NON-MEMBERS OR NON-INDIANS MAY BE ENROLLED IF THEY MEET THE REQUIREMENTS FOR ENROLLMENT. IF ADOPTION RECORDS ARE CONFIDENTIAL IN NATURE, IT IS NOT NECESSARY TO SHOW THE NAMES OF NATURAL OR ADOPTIVE PARENTS. A STATEMENT BY THE AGENCY WELFARE OFFICE CERTIFYING DEGREE OF INDIAN BLOOD OF THE CHILD FROM CASE RECORDS CAN BE USED FOR DETERMINATION OF ELIGIBILITY FOR ENROLLMENT OF THE CHILD.

**SECTION 17. DETERMINATION OF BLOOD QUANTUM.**

- A. **TOTAL INDIAN BLOOD** – THE TOTAL RECOGNIZED CERTIFIED INDIAN BLOOD OF THE FATHER AND MOTHER IS ADDED TOGETHER AND THEN DIVIDED BY TWO.
- B. **TRIBAL INDIAN BLOOD** – WHERE ONE OR BOTH PARENTS ARE ENROLLED MEMBERS OF THE FORT BELKNAP COMMUNITY, THE TOTAL GROS VENTRE AND/OR ASSINIBOINE BLOOD OF THE FORT BELKNAP RESERVATION OF THE FATHER AND MOTHER IS ADDED TOGETHER AND THEN DIVIDED BY TWO.
- C. IN CASES OF UNMARRIED PARENTS INCLUDING COMMON-LAW MARRIAGES, BUT WHERE THE FATHER ACKNOWLEDGES PATERNITY OF THE CHILD, ONE-HALF THE INDIAN BLOOD OF THE FATHER MAY BE ALLOWED TO THE CHILD. OTHERWISE ONLY ONE-HALF OF THE MOTHER'S BLOOD IS ALLOWED FOR THE CHILD.

IF THE FATHER ACKNOWLEDGES PATERNITY, DOCUMENTARY EVIDENCES MUST BE FURNISHED TO ESTABLISH THE FACT. A BIRTH CERTIFICATE SHOWING THE NAME OF A PERSON AS THE FATHER CANNOT BE THE ONLY DOCUMENT FOR SUPPORT OF PATERNITY, BUT A CERTIFIED STATEMENT BY THE SUPERINTENDENT, TRIBAL JUDGE, OR OTHER PERSONS OF RESPONSIBILITY NAMING THE FATHER, AFTER REVIEW OF THE FACTS, WILL BE CONSIDERED AS ADEQUATE PROOF.

**SECTION 18. DUAL ENROLLMENT.**

A PERSON MAY MEET REQUIREMENTS FOR MEMBERSHIP IN ANOTHER TRIBE BESIDES THE FORT BELKNAP COMMUNITY. IF HE IS ENROLLED IN MORE THAN ONE TRIBE, HE MUST DECIDE IN WHICH TRIBE HE WISHES TO BE ENROLLED, UNLESS HE HAS ACCEPTED PAYMENTS FROM ONE OF THE TRIBES, IN WHICH CASE HE SHALL BE CONSIDERED ENROLLED IN THAT TRIBE. IF NO PAYMENT HAS BEEN MADE TO HIM FROM EITHER TRIBE, HE SHALL RELINQUISH IN WRITING HIS CLAIM TO MEMBERSHIP IN ONE OF THEM.

**IN THE CASE OF A MINOR OR INCOMPETENT THE PARENT HAVING CUSTODY, OR THE GUARDIAN, OR OTHER PERSON ACTING IN HIS BEHALF MAKES THE ELECTION.**

**SECTION 19. RELINQUISHMENT OF MEMBERSHIP.**

**ANY MEMBER OF THE FORT BELKNAP COMMUNITY MAY RELINQUISH HIS MEMBERSHIP BY FILING A NOTICE IN WRITING TO THE FORT BELKNAP COMMUNITY COUNCIL STATING HE NO LONGER WISHES T BE ENROLLED. WHEN SUCH A REQUEST IS RECEIVED THE COUNCIL SHALL ENACT A RESOLUTION TO REMOVE THE INDIVIDUAL'S NAME FROM THE MEMBERSHIP ROLL AND STATE THIS PERSON IS NO LONGER TO BE CONSIDERED A MEMBER NOR SHARE IN ANY RIGHTS OR BENEFITS AS A MEMBER OF THE FORT BELKNAP COMMUNITY. THE NAME OF THE INDIVIDUAL THEN SHALL BE MARKED THROUGH ON THE MEMBERSHIP ROLL AND DATE AND NUMBER OF THE RESOLUTION NOTED, AND ALSO BY WHOM THE ENTRY IS MADE. ANY MEMBER WHO RELINQUISHES HIS MEMBERSHIP SHALL NOT BE ELIGIBLE FOR REINSTATEMENT TO MEMBERSHIP IN THE COMMUNITY EXCEPT THROUGH THE PROCESS OF ADOPTION PURSUANT TO THE CONSTITUTION.**

**SECTION 20. TRANSFER OF MEMBERSHIP. (AMENDED 5/7/85 - RES.#103-85)**

**ANY PERSON ENROLLED IN A TRIBE OTHER THEN THE FORT BELKNAP INDIAN COMMUNITY AND WHO RELINQUISHES HIS OR HER ENROLLMENT THEREOF AND DESIRES ENROLLMENT IN THE FORT BELKNAP INDIAN COMMUNITY MAY BE PLACED ON THE FORT BELKNAP MEMBERSHIP ROLL, UPON APPLICATION, PURSUANT TO:**

- A. ARTICLE III, SECTION 1, CONSTITUTION AND BY-LAWS.**
- B. ARTICLE III, SECTION 2, CONSTITUTION AND BY-LAWS. FURTHER, ANY ENROLLED MEMBER OF THE FORT BELKNAP INDIAN COMMUNITY MAY RELINQUISH THEIR MEMBERSHIP PROVIDED THE PROVISIONS OF THE FORT BELKNAP CONSTITUTION AND BY-LAWS AND ENROLLMENT ORDINANCES APPLICABLE TO RELINQUISHMENT OF ENROLLMENT ARE COMPLIED WITH.**

**SECTION 21. MAINTENANCE OF TRIBAL MEMBERSHIP ROLL.**

- A. UNDER ARTICLE III, SECTION 6, OF THE AMENDED CONSTITUTION AND BY-LAWS OF THE FORT BELKNAP COMMUNITY, IT IS THE RESPONSIBILITY OF THE COMMUNITY COUNCIL TO MAINTAIN A CURRENT MEMBERSHIP ROLL. UNLESS OTHERWISE ASSIGNED, THE WORK OF MAINTAINING THE ROLL RESTS WITH THE TRIBAL SECRETARY.**
- B. THE MEMBERSHIP ROLL SHALL BE MADE CURRENT BY:
  - 1. MARKING THROUGH NAMES AND MAKING APPROPRIATE NOTATIONS OF THOSE PERSONS WHO RELINQUISH IN WRITING THEIR MEMBERSHIP.****

2. **MARKING THROUGH NAMES OF DECEASED PERSONS, AND MAKING APPROPRIATE NOTATIONS, UPON RECEIPT OF EVIDENCE OF DEATH.**
3. **ADDING, THERETO THE NAMES OF INDIVIDUALS DULY ACCEPTED FOR ENROLLMENT, INCLUDING THOSE ADOPTED INTO MEMBERSHIP, AND CITING AUTHORITY UNDER WHICH ENROLLED, AND RESOLUTION NUMBER, IF ANY.**
4. **DELETING FROM THE ROLL NAMES OF DESCENDANTS OF ALLOTTEES WHOSE ENROLLMENT WAS BASED ON INFORMATION SUBSEQUENTLY DETERMINED TO BE INACCURATE OR FRADULENT, SUBJECT TO AUTHORIZATION BY A RESOLUTION OF THE COMMUNITY COUNCIL AND SECRETARY OF THE INTERIOR.**
5. **MAKING CORRECTIONS IN THE MEMBERSHIP ROLL OF ERRORS IN NAMES, DATES OF BIRTH, FAMILY RELATIONSHIPS, AND DEGREE OF TRIBAL AND TOTAL INDIAN BLOOD, PROVIDED CORRECTIONS ARE SUBSTANTIATED BY ACCEPTABLE PROOF, AND FURTHER PROVIDED THAT CHANGES IN TRIBAL AND TOTAL INDIAN ARE AUTHORIZED BY A RESOLUTION OF THE COMMUNITY COUNCIL. (SEE SECTION 23)**
6. **A SUPPLEMENTAL ROLL SHALL BE PREPARED YEARLY TO SHOW ADDITIONAL ENROLLEES BORN AFTER THE ESTABLISHMENT AND APPROVAL OF THE OFFICIAL MEMBERSHIP ROLL.**

**SECTION 22. DISTRIBUTION OF TRIBAL ASSETS.**

**BEFORE THE MEMBERSHIP ROLL CAN BE USED FOR THE DISTRIBUTION OF TRIBAL ASSETS, IT SHALL BE SUBMITTED TO THE SECRETARY FOR HIS APPROVAL.**

**SECTION 23. ESTABLISHMENT OF THE ROLL.**

**THE MEMBERSHIP ROLL AS ESTABLISHED AND MAINTAINED BY THE TRIBAL COUNCIL SHALL BE THE OFFICIAL RECORD OF MEMBERSHIP IN THE TRIBE AND SHALL BE UTILIZED FOR ALL TRIBAL PURPOSES. BEFORE THE ROLL MAY BE USED FOR THE DISTRIBUTION OF TRIBAL ASSETS UNDER THE JURISDICTION OF THE SECRETARY OF THE INTERIOR, THE MEMBERSHIP ROLL SHALL BE APPROVED BY THE SECRETARY OF THE INTERIOR OR HIS AUTHORIZED REPRESENTATIVE.**

**SECTION 24. POSTING OF THE ROLL.**

- A. **THE PROPOSED ROLL SHALL BE POSTED FOR EXAMINATION OF INTERESTED PERSONS FOR 90 DAYS.**
- B. **IF AN ENROLLEE OR ONE OF HIS DESCENDANTS CONTENTS HIS NAME, DATE OF BIRTH, FAMILY RELATIONSHIP, AUTHORITY UNDER WHICH ENROLLED, OR DEGREE OF TRIBAL AND/OR TOTAL INDIAN BLOOD IS INCORRECT, HE SHALL REQUEST IN WRITING THE CHANGES. THE REQUEST SHALL BE SUBMITTED TO THE**

ENROLLMENT COMMITTEE AND/OR PERSONS COMPILING THE ROLL WITHIN 30 DAYS AFTER THE TIME ALLOWED FOR POSTING THE ROLL AND SHALL INCLUDE ALL INFORMATION AVAILABLE TO SUPPORT THE CONTENTION. THE COMMITTEE SHALL THEN EXAMINE ALL AVAILABLE RECORDS, ALONG WITH INFORMATION PRESENTED, AND MAKE CORRECTIONS, IF SUCH IS SUBSTANTIATED.

- C. PUBLICITY SHALL BE GIVEN TO THE POSTING OF THE PROPOSED MEMBERSHIP ROLL.

**SECTION 25. COST OF PREPARATION OF ROLL.**

ALL TRIBAL COSTS INCURRED IN THE PREPARATION AND MAINTENANCE OF THE TRIBAL MEMBERSHIP ROLL SHALL BE PAID BY APPROPRIATE WITHDRAWALS FROM AVAILABLE TRIBAL FUNDS.

THE FOREGOING ORDINANCE WAS ON JULY 1<sup>ST</sup>, 1968 ENACTED BY A VOTE OF 8 FOR; 0 AGAINST; 1 NOT VOTING; 3 ABSENT; BY THE FORT BELKNAP COMMUNITY COUNCIL, PURSUANT TO THE AUTHORITY VESTED IN IT BY ARTICLE III SECTION 8 OF THE CONSTITUTION, AS AMENDED.

SIGNED: CLARENCE ADAMS/PRESIDENT  
WILBUR J. BIGBY/SECRETARY



UNITED STATES  
DEPARTMENT OF THE INTERIOR

Tribal Operations  
063

BUREAU OF INDIAN AFFAIRS

BILLINGS AREA OFFICE  
316 NORTH 26TH ST.  
BILLINGS, MONTANA 59101

August 22, 1968

Through Superintendent, Ft. Belknap Agency

Mr. Clarence Adams, President  
Ft. Belknap Community Council

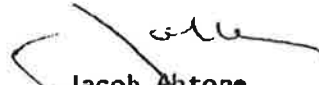
Dear Mr. Adams:

We received Ordinance No. 1-68, Procedures Governing Enrollment, enacted by the Community Council July 1, 1968. This Ordinance rescinds Ordinance No. 1-66.

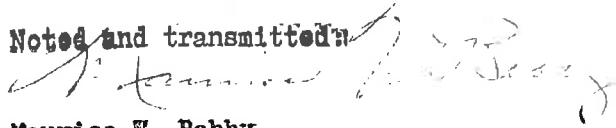
No further administrative action is necessary on Ordinance No. 1-68. For their information, copies are being transmitted to the Washington Office, Enrollment Section, and the Agency Superintendent.

We are pleased the Community Council has enacted this Ordinance and by so doing revised their enrollment procedures.

Sincerely yours,

  
Jacob Ahtone  
Tribal Operations Officer

Noted and transmitted

  
Maurice W. Babby,  
Superintendent

# Fort Belknap Community Council

WHEREAS, the Fort Belknap Indian Community Council is the governing body of the Ventre and Assiniboine Tribes of the Fort Belknap Indian Community, Fort Belknap Indian Reservation, Montana, by the authority of the Constitution and By-Laws of the Fort Belknap Tribes approved on the 13th day of December, 1935, and

WHEREAS, under the Constitution and By-Laws of the Fort Belknap Indian Community, the Community Council is charged with the duty of protecting the health, security and general welfare of the Fort Belknap Indian Community, and

## AMENDMENT TO ORDINANCE NO. 1-68 ENROLLMENT ORDINANCE

WHEREAS, it is the duty and responsibility of the Tribal Government of the Fort Belknap Indian Community to enact ordinances and amendments thereto for the purpose of establishing procedures governing enrollment into the Fort Belknap Indian Community, and

NOW THEREFORE BE IT RESOLVED, that the Fort Belknap Indian Community hereby amends Section 20, Enrollment Ordinance No. 1-68 as follows:

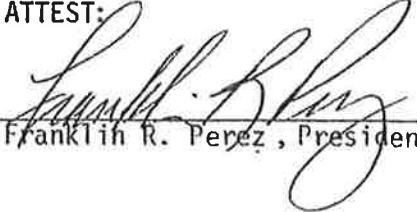
### Section 20. Transfer of Membership

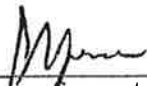
Any person enrolled in a Tribal other than the Fort Belknap Indian Community and who relinquishes his or her enrollment thereof and desires enrollment in the Fort Belknap Indian Community may be placed on the Fort Belknap membership roll, upon application, pursuant to:

- a. Article III, Section 1, Constitution and By-Laws.
- b. Article III, Section 2, Constitution and By-Laws.

Further, any enrolled member of the Fort Belknap Indian Community may relinquish their membership provided the provisions of the Fort Belknap Constitution and By-Law and enrollment ordinances applicable to relinquishment of enrollment are complied with.

ATTEST:

  
Franklin R. Perez, President

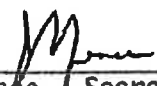
  
John Spence, Secretary

pg.2 - Amendment to Ordinance No. 1-68  
Enrollment Ordinance

CERTIFICATION

I, the undersigned as Secretary of the Fort Belknap Indian Community Council of the Fort Belknap Indian Reservation, Montana do hereby certify that the Fort Belknap Indian Community Council is composed of 12 members of whom 11 members, constituting a quorum were present at a meeting thereof; duly and regularly called, noticed, convened and held this 7th day of May, 1985, and that the foregoing resolution was adopted by the affirmative vote of 10 for; 0 opposed; 1 absent; 1 not voting; and that said Resolution has not been rescinded in any way.

DATE: 5/30/85

  
\_\_\_\_\_  
John Spence Secretary

THE FORT BELKNAP INDIAN COMMUNITY  
Tribal Government

FORT BELKNAP AGENCY, HARLEM, MONTANA  
Address

# Fort Belknap Community Council

WHEREAS, the Fort Belknap Indian Community Council is the governing body of the Gros Ventre and Assiniboine Tribes of the Fort Belknap Indian Community, Fort Belknap Indian Reservation, Montana, by the authority of the Constitution and By-Laws of the Fort Belknap Tribes approved on the 13th day of December, 1935, and

WHEREAS, under the Constitution and By-Laws of the Fort Belknap Indian Community, the Community Council is charged with the duty of protecting the health, security and general welfare of the Fort Belknap Indian Community, and

WHEREAS, the Fort Belknap Community Council ("Council") is responsible for overseeing and managing the affairs of the Fort Belknap Indian Reservation, and

WHEREAS, the Council has reviewed and studied the necessity of improving the procedure for enrollment, especially as to the recognition of children born out of wedlock, for whom there exists no established presumption of paternity at law, and

WHEREAS, it appears appropriate to formalize procedures designed to provide guidance to parents and others who wish to make application for enrollment,

NOW THEREFORE BE IT ORDAINED, that the Fort Belknap Community Council does hereby amend the Enrollment Ordinance, No. 1-68, to add the following language to the section now enumerated Section 5 (New language is underlined):

a. Enrollment eligibility. Any person who believes he/she meets the requirements for membership in the Fort Belknap Community, as provided in Section 2 of these procedures, may submit to the Enrollment Committee an application for enrollment. Individuals shall be considered for enrollment upon completion of an approved application for enrollment, demonstrating eligibility for enrollment, accompanied by a long form, certified birth certificate and a certified copy of his or her parents' marriage license.

d. Child of unwed parents. If a child is born of parents who were not legally married at the time of birth, paternity must be established in a court of competent jurisdiction prior to the acceptance of an enrollment application for such child. Evidence of such adjudication shall be in the form of a certified copy of the Order adjudicating such issue. In adjudicating paternity for these purposes, the court in which such action is filed may use whatever means at law are allowable, but for purposes of this Ordinance, the preferred manner of proof is DNA testing, which shall be required, unless good cause exists to prevent such testing.

e. Recognition of common law marriages. For purposes of enrollment, individuals claiming to be wed by "common law" must have such status adjudicated in a court of competent jurisdiction. To be sufficient to avoid the requirement of adjudication of paternity, parents of an individual who is the subject of an enrollment petition must demonstrate, through a certified copy of a court order, that they were considered legally married at the time of the birth of the child involved.



f. Challenges to enrollment applications. Any member of the Council, or individual members of the Community may challenge the claimed paternity of an individual prior to the time of enrollment. To effect a challenge, the concerns about paternity must be stated in writing and submitted to the Council for consideration. If the Council deems the challenge should be considered, a hearing time shall be scheduled, the applicant and his/her parents shall be informed of the challenge, and all parties given the opportunity to express their positions, evidence and reasoning. The decision of the Tribal Council shall be final, subject only to a request for rehearing, if an individual believes that specific evidence or argument were not fully considered or could not be fully developed, because of excusable neglect or other good cause.


and

**BE IT FURTHER ORDAINED**, that this language shall take effect immediately, with all pending applications involving such issues to be required to adhere to these procedures, and

**BE IT FINALLY ORDAINED**, that the Council officers are hereby delegated the authority and responsibility to sign all documents necessary to effect this action.

ATTEST:

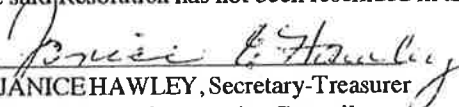
  
TRACY CHARLES KING, President  
Fort Belknap Community Council

  
JANICE HAWLEY, Secretary-Treasurer  
Fort Belknap Community Council

CERTIFICATION

I, the undersigned, as Secretary of the Fort Belknap Community Council of the Fort Belknap Indian Reservation, Montana, do hereby certify that the Fort Belknap Community Council is composed of 6 members, of whom 6 members, constituting a quorum were present at a meeting thereof, duly and regularly called, noticed, convened and held this 14 day of July, 1997; and that the foregoing Resolution of the Fort Belknap Community Council was duly adopted and approved by the affirmative vote of 6 for; 0 opposed; 0 not voting; 0 temporary absent; 0 absent; and that the said Resolution has not been rescinded in any way.

DATE: August 19, 1997

  
JANICE HAWLEY, Secretary-Treasurer  
Fort Belknap Community Council

THE FORT BELKNAP INDIAN COMMUNITY  
Tribal Government

FORT BELKNAP AGENCY, HARLEM, MT.  
Address

# Fort Belknap Indian Community

WHEREAS, the Fort Belknap Indian Community Council is the governing body of the Gros Ventre and Assiniboine Tribes of the Fort Belknap Indian Community, Fort Belknap Indian Reservation, Montana, by the authority of the Constitution and By-Laws of the Fort Belknap Tribes approved on the 13 day of December 1935, and

WHEREAS, under the Constitution and By-Laws of the Fort Belknap Indian Community, the Community Council is charged with the duty of protecting the health, security and general welfare of the Fort Belknap Indian Community, and

**WHEREAS**, the Fort Belknap Community Council ("Council") is responsible for overseeing and managing the affairs of the Fort Belknap Indian Reservation, and

**WHEREAS**, the Council has received notice from the Bureau of Indian Affairs certifying an approved amendment to the enrollment standard set forth in Article III of the Constitution, and the Council has reviewed and studied the necessity of improving the procedure for enrollment, and

**WHEREAS**, it appears appropriate to amend the Enrollment Ordinance to make it consistent with the amended Constitution and to clarify the process for enrollment,

**NOW THEREFORE BE IT ORDAINED**, that the Fort Belknap Community Council does hereby amend the Enrollment Ordinance, No. 1-68, to add the following language to the sections identified: (New language is underlined):

## Section 2. Eligibility for Enrollment.

a. (Unchanged)

b. ~~Each person of one-fourth (1/4) or more Indian blood, regardless of residence, born before January 19, 1959, or every~~ Each person of one-fourth (1/4) eighth (1/8) or more Gros Ventre or Assiniboine Indian blood, as defined in the Constitution, regardless of residence, born heretofore or hereafter or combination thereof, ~~thereafter~~ to any member or descendant of a member of the Community whose name was or is on the allotment roll of the Fort Belknap Reservation prepared and approved pursuant to the Act of March 3, 1921 (41 Stat. 1355) shall automatically be entitled to membership in the Community. (Makes language consistent with Constitution)

## Section 4. Action on Application.

a. (Existing paragraph unchanged except to label as "a")

b. To effect action on an applicant, each enrollment application shall first be brought to the Enrollment Committee for consideration. The action taken by the Enrollment Committee, whether to approve or disapprove, shall be published in the Tribal newsletter, if any, and posted in each Reservation community, for thirty (30) days. Publication shall be considered adequate if posted in the communities for

thirty (30) days. Thereafter, the Council shall meet and consider each application, either affirming or overturning the action of the Committee. Should protests be received on proposed action on applications, the Council shall conduct a hearing thereon before its final vote on the application. Once considered, a protestor may not renew the same protest before the Council as set forth in Sections 8 through 13 of this Ordinance, but may pursue review rights set forth in Sections 14 and 15.

e. Once favorable Council action has been taken on an enrollment application, the individual shall be considered enrolled, and their name placed on the official roll, subject only to rescission of such action because of a successful protest. Until Council action to approve an enrollment application, after Committee review and publication of recommendations, no membership rights shall be inferred. Once Council action is taken, an individual shall be construed as enrolled from that date forward unless rescission action is taken.

and

**BE IT FURTHER ORDAINED**, that this language shall take effect immediately, subject only to Bureau of Indian Affairs approval, as necessary, with all pending applications involving such issues to be required to adhere to these procedures, and

**BE IT FINALLY ORDAINED**, that the Council officers are hereby delegated the authority and responsibility to sign all documents necessary to effect this action.

ATTEST:

  
\_\_\_\_\_  
JOSEPH F. McCONNELL, President  
Fort Belknap Community Council

  
\_\_\_\_\_  
DIANE DECELLES, Secretary-Treasurer  
Fort Belknap Community Council

CERTIFICATION

I, the undersigned, as Secretary of the Fort Belknap Community Council of the Fort Belknap Indian Reservation, Montana, do hereby certify that the Fort Belknap Community Council is composed of 6 members, of whom 5 members, constituting a quorum were present at a meeting thereof, duly and regularly called, noticed, convened and held this 9 day of August, 2001; and that the foregoing Resolution of the Fort Belknap Community Council was duly adopted and approved by the affirmative vote of 4 for; 1 opposed; 0 not voting; 0 temporary absent; 1 absent; and that the said Resolution has not been rescinded in any way.

DATE: 9-4-01

  
\_\_\_\_\_  
DIANE DECELLES, Secretary-Treasurer  
Fort Belknap Community Council

THE FORT BELKNAP INDIAN COMMUNITY  
Tribal Government

FORT BELKNAP AGENCY, HARLEM, MT.  
Address

AMENDMENT  
CONSTITUTION AND BYLAWS  
OF THE FORT BELKNAP INDIAN COMMUNITY

Section 2 of Article III, Membership, would be changed to read as follows:

ARTICLE III - MEMBERSHIP

**Section 2. Descendants of Allottees.** Each person of one-eighth (1/8) or more Indian blood, regardless of residence, born heretofore or hereafter to any member or descendant of a member of the Community whose name was or is on the allotment roll of the Fort Belknap Reservation prepared and approved pursuant to the Act of March 21, 1921 (41 Stat. 1355), shall automatically be entitled to membership in the Community.

CERTIFICATE OF APPROVAL

I, James H. McDivitt, Deputy Assistant Secretary - Indian Affairs (Management), by virtue of the authority granted to the Secretary of the Interior and delegated to me by 230 DM 2.4, and by Article VI of the Constitution and Bylaws of the Fort Belknap Indian Community, do hereby approve the foregoing Amendment to the Constitution of the Fort Belknap Indian Community, PROVIDED, that nothing contained in this approval shall be construed as authorizing any action under this Constitution that would be contrary to Federal law.

  
\_\_\_\_\_  
Deputy Assistant Secretary - Indian Affairs (Manageme

Washington, D.C.

Date: JUN 27 2001



IN REPLY REFER TO  
Superintendent  
100

BUREAU OF INDIAN AFFAIRS

R. R.1, BOX 980  
Fort Belknap Agency  
Harlem, Montana 59526  
FAX 406-353-2886

CERTIFICATE OF RESULTS OF ELECTION  
Constitutional Amendment D

Pursuant to a Secretarial election authorized by the Deputy Commissioner of Indian Affairs on February 28, 2001, the attached Constitution and Bylaws (Amendment, Charter or Charter Amendment) of the Fort Belknap Indian Community was submitted to the qualified voters of the tribes and on May 1, 2001, was duly adopted by a vote of 338 for and 260 against and 3 cast ballots found spoiled or mutilated in an election in which at least 30 percent of the 936 members entitled to vote, cast their ballot in accordance with 25 CFR part 81. Signed by:

Judith A. Gray 05/02/01  
Chair of Election board Date

Al M... .. 5-2-01  
Board Member Date

Dave Cross 5/2/01  
Board Member Date

[Signature] 5-2-01  
Board Member Date

[Signature] 5/2/01  
Board Member Date

