



PUEBLO OF ISLETA

P.O. BOX 1270
ISLETA, NM 87022

PUEBLO OF ISLETA Resolution No. 2016-079

Amending the Tribal Enrollment Ordinance and the Policies for the Census/Enrollment Department to Conform to the 2016 Constitutional Amendment

The following resolution was passed at a duly called meeting of the Tribal Council of the Pueblo of Isleta:

WHEREAS, the Pueblo of Isleta is a federally recognized Indian tribe with a written Constitution adopted pursuant to the Indian Reorganization Act and with inherent powers of self-government;

WHEREAS, Article V, Section 7, of the Pueblo of Isleta Constitution authorizes the Tribal Council to “adopt ordinances consistent with this constitution;”

WHEREAS, the Pueblo of Isleta Constitution was amended on May 20, 2016, lowering the Isleta Indian blood quantum requirement for membership from one-half (1/2) to one-quarter (1/4);

WHEREAS, pursuant to Article II, Section 7 of the Pueblo of Isleta Constitution, the Tribal Council did adopt a Tribal Enrollment Ordinance on July 13, 2006 and has amended it from time to time; and

WHEREAS, the Tribal Council finds it in the best interest of the Pueblo of Isleta to amend the Tribal Enrollment Ordinance and the Policies of the Census/Enrollment Department to conform to the 2016 Pueblo of Isleta Constitutional amendment as attached hereto.

NOW THEREFORE BE IT RESOLVED, that the Tribal Council hereby adopts amendments to the Tribal Enrollment Ordinance and the Policies for the Census/Enrollment Department as attached hereto.

CERTIFICATION

We, the undersigned officials of the Pueblo of Isleta, hereby certify that the foregoing Resolution was duly adopted by the Pueblo of Isleta Tribal Council at a regular meeting held on the 20th day of June 2016, with a quorum present, with 5 voting for, 1 opposing, and 0 abstaining.



Tribal Council President



Pueblo of Isleta Governor

ATTEST



Tribal Council Secretary



PUEBLO OF ISLETA

P.O. BOX 1270
ISLETA, NM 87022

AMENDED AND RESTATED **Tribal Enrollment Ordinance of the Isleta Pueblo** **(as of June 16, 2016)**

This ordinance is enacted pursuant to the authority contained in Article II, Section 7, of the Constitution of the Isleta Pueblo, subject to the approval of the Tribal Council as stated in Article II, Section 7. This ordinance governs future membership, loss of membership, and adoption of members into the Isleta Pueblo.

Section 1. *The membership of the Isleta Pueblo shall consist of the following:*

- A. Persons of one-quarter (1/4) or more degree of Isleta Indian blood and Isleta parentage shall be members of the Pueblo of Isleta, provided that they have not renounced their right to membership.
- B. All persons of one-quarter (1/4) or more degree of Isleta Indian blood whose names appear on the official census roll maintained by Southern Pueblos Agency, as of January 1, 1970.
- C. Any person of one-quarter (1/4) or more degree of Isleta Indian blood born after January 1, 1970.
- D. Any person of one-quarter (1/4) or more degree of Indian blood who is hereafter naturalized or adopted in conformity with an appropriate ordinance of the council or according to the laws and traditions of the Pueblo of Isleta.
- E. No person shall be or become a member of the Pueblo of Isleta who is an enrolled member of any other Indian tribe or pueblo.
- F. Non Indians shall never become members of the Pueblo of Isleta.

Section 2. *Special Conditions:*

- A. Any tribal member or Applicant who is eighteen (18) years of age or older, who otherwise qualifies for membership but who is or has been enrolled as a member of another Indian tribe, band, pueblo or Indian Nation may be enrolled as a member of the Isleta Pueblo; provided that such person relinquish his/her membership from all other tribes, bands, pueblos and Indian Nations within thirty (30) working days of notification by certified mail, return receipt requested.
- B. The Tribal Enrollment Committee has the authority to order DNA testing only in cases where paternity is an issue.
 - 1. Applicants for membership must comply with DNA testing when such testing is directed by the Tribal Enrollment Committee for the purpose of determining paternity. Failure to submit to testing consistent with this Ordinance will result in the disqualification of the Applicant in question.
 - 2. The Tribal Enrollment Committee shall order DNA testing only in cases in which the application, associated documents, or other credible information available to the Tribal Enrollment Committee indicates the existence of a substantial issue regarding the lineage of the Applicant affecting his or her degree of Isleta Indian blood. Consistent with its authority under Article II, Section 8, of the Pueblo's Constitution, the Tribal Court shall have exclusive jurisdiction over any and all disputes and controversies regarding the application and interpretation of DNA testing under this Ordinance.
 - 3. The cost of any DNA testing required under this Subsection 2(B) will be borne by the Applicant, or the parent(s) or guardian(s) of any minor Applicant. All required DNA testing shall be conducted at a state certified facility approved by the Tribal Enrollment Committee unless otherwise directed by the Tribal Court.
 - 4. This Subsection 2(B) does not give the Tribal Enrollment Committee the authority to order DNA testing in cases that do not come before the Committee.
- C. Applicants that have exhausted all avenues for membership and have been rejected for membership may file a new application only if they meet one of the following requirements:
 - 1. They have documented evidence that supports their new claim to membership.
 - 2. The constitutional criteria for membership have changed since their last application.

Section 3. *The Tribal Enrollment Committee*

- A. The Tribal Council shall appoint a Tribal Enrollment Committee comprised of five (5) tribal members who are not current members of the Tribal Council and who shall have the responsibility of preparing and maintaining the current membership roll consistent with the provisions of this ordinance and tribal constitution.
- B. The Tribal Enrollment Committee shall be responsible for updating and maintaining an annual Official Roll of the Membership of the Pueblo of Isleta. The Official Roll shall be based on the current membership of the Pueblo of Isleta as of December 31st of each year and shall be brought to the Tribal Council for adoption no later than the following January 31st.
- C. Once the official roll is adopted by Tribal Council, members' names shall be added or deleted by the Tribal Enrollment Committee in interim periods when such additions or deletions are required.
- D. If the Tribal Enrollment Committee makes an exception to or does not comply with this ordinance, the Enrollment Director shall notify Tribal Council in writing within fifteen (15) days.

Section 4. *New Applications for Enrollment*

A. Who Must File?

- 1. All persons not listed on the membership roll of the Isleta Pueblo as of the effective date of this ordinance, who request membership in the Isleta Pueblo, must file an enrollment application. Parents, guardians, or other sponsors such as social workers may file applications for minors or incompetents. No one will be considered for enrollment unless the individual or a sponsor has filed an enrollment application on an approved form supplied by the Census/Tribal Enrollment Department.

B. When and Where to File An Application

- 1. All enrollment applications must be filed with the Isleta Pueblo Census/Tribal Enrollment Department. Application forms may be obtained by oral or written request from the Census/Tribal Enrollment Department.
- 2. There is no deadline date established for filing enrollment applications, except when the Tribal Council authorizes an enrollment cutoff date for specific distribution of tribal funds or for other purposes.

C. What the Application Must Contain

1. Each enrollment application must be completed in its entirety and must contain sufficient personal information to properly determine the Applicant's eligibility for enrollment. Applications must show *at minimum* the following:
 - a) All names by which the Applicant is known.
 - b) The address of the Applicant.
 - c) A family tree that consists of the names of all known ancestors and all known Isleta Pueblo ancestors whose names appear on the 1970 Base Roll maintained by the Southern Pueblos Agency of the Bureau of Indian Affairs, the 1968 Base Roll maintained by the Southern Pueblos Agency of the Bureau of Indian Affairs, or the official Membership Roll of the Pueblo of Isleta, together with all known names of Isleta Pueblo ancestors in generations among those rolls and the Applicant.
 - d) The name of the tribe(s) and degree(s) of Indian blood of any Indian tribe, band, pueblo or Indian Nation other than the Isleta Pueblo.
 - e) The notarized signature of the Applicant or sponsor.
 - f) The date of the filing of the application.
 - g) The application must be accompanied by the original or certified copy of the Applicant's birth certificate. Both parents must be listed on the birth certificate in order for the blood quantum of each parent to be used to calculate the blood quantum of the Applicant. For example, if either parent is a tribal member and is not listed on the birth certificate, that parent's blood quantum will not be used to calculate the blood quantum of the Applicant.

In the event that a biological parent is not listed on the original or certified copy of the birth certificate, the Applicant may request the Tribal Enrollment Committee to accept a lawful court order by the Pueblo of Isleta Tribal Court that establishes / acknowledges paternity. Once such order is authenticated by Enrollment Staff, the Tribal Enrollment Committee shall have the authority to use the blood quantum of that biological parent to calculate the Applicant's blood quantum, even though that biological parent is not listed on the original or certified copy of the birth certificate.
 - h) All documents submitted to the enrollment department by the Applicant(s), their guardian or legal representative, are the property of the Isleta Pueblo and shall remain so indefinitely.

Section 5. *Registered Descendant Applications for Tribal Membership*

A. Purpose

The purpose of this Section is to establish a process specific to the enrollment of Registered Descendants (individuals with Descendant numbers) who may qualify for membership.

B. Who May File Under This Section?

1. All persons included on the Descendants list but not listed on the membership roll of the Isleta Pueblo may file a Descendant Application for Tribal Membership.
2. Parents, guardians, or other sponsors such as social workers may file applications for minors or incompetents. No one will be considered for enrollment unless the individual or a sponsor has filed a Descendant Application for Tribal Membership on an approved form provided by the Census/Tribal Enrollment Department.
3. Registered Descendants may also file a full enrollment application, as described in Section 4.

C. When and Where to File An Application

1. All enrollment applications must be filed with the Isleta Pueblo Census/Tribal Enrollment Department. Application forms may be obtained by oral or written request from the Census/Tribal Enrollment Department, or at www.isletapueblo.com.
2. There is no deadline date established for filing Descendant Applications for Tribal Membership, except:
 - a) Priority treatment of Descendant Applications, described in Section 8 below, shall apply only to applications received on or before January 31, 2017, and
 - b) When the Tribal Council authorizes an enrollment cutoff date for specific distribution of tribal funds or for other purposes.

D. What the Application Must Contain

1. Each Descendant Application for Tribal Membership must be completed in its entirety. Applications must show *at minimum* the following:
 - a) All names by which the Applicant is known.

- b) The address of the Applicant.
 - c) The notarized signature of the Applicant or parent/guardian.
 - d) The date of the filing of the application.
2. All documents submitted to the Census/Enrollment Department by the Applicant(s), their guardian or legal representative, are the property of the Isleta Pueblo and shall remain so indefinitely.

Section 6. *Processing New Enrollment Applications*

A. By Enrollment Staff:

- 1. All enrollment applications shall be obtained from the Isleta Pueblo Census/Tribal Enrollment Department, and shall be returned to the Census/Tribal Enrollment Department upon completion of the application.
- 2. The actions taken by the enrollment staff shall include:
 - a) Stamp the application form with the date on which it is received, and acknowledge receipt of it in writing to the Applicant.
 - b) Make a folder for the application and supporting documents.
 - c) Make sure the application is complete. If not, notify the Applicant by certified mail, return receipt requested, of what is required.
 - d) If Applicant possesses blood of any other tribe, check on possible dual enrollment.
 - e) Verify ancestry to the 1970 Base Roll maintained by the Southern Pueblos Agency of the Bureau of Indian Affairs, the 1968 Base Roll maintained by the Southern Pueblos Agency of the Bureau of Indian Affairs, or the official Membership Roll of the Pueblo of Isleta.
 - f) As completely as possible, verify other claimed Indian blood.
 - g) Separate applications into two stacks:
 - 1. Applicants who meet all requirements, and;
 - 2. Applicants who do not meet requirements or who do not have proper documentation.

- h) Prepare a list of recommendations for Applicants that qualify and for those that do not qualify for consideration by the Tribal Enrollment Committee.
- i) Except as stated in Section 8, the staff shall complete the above actions within thirty (30) working days of receipt of the application, and shall forward appropriate documentation to the Tribal Enrollment Committee. This time limit shall be extended if the sole reason for delay is the return of the dual enrollment verification from another tribe or pueblo.

B. By Tribal Enrollment Committee:

1. The Tribal Enrollment Committee shall:
 - a) Examine applications and documentation presented by enrollment staff.
 - b) Determine accuracy and sufficiency of research, requiring additional action by the enrollment staff if necessary.
 - c) Decide to accept or reject Applicants.
 - d) Document decisions with resolutions.
 - e) Direct the staff to notify accepted Applicants of action taken, informing them of the membership number assigned.
 - f) Direct the staff to notify ineligible Applicants of Tribal Enrollment Committee's action, and of their right to appeal the decision of the Tribal Enrollment Committee to the Tribal Council. The Chair of the Tribal Enrollment Committee must sign the letter of ineligibility.
2. The Tribal Enrollment Committee shall complete the above actions within thirty (30) working days of its receipt of the material from the staff.

C. By Tribal Council

1. Actions taken by the Tribal Council shall include:
 - a) Decide appeals submitted by ineligible Applicants.
 - b) Document all decisions with resolutions.
2. The Tribal Council shall complete the above actions within thirty (30) working days of its receipt of the appeal from the ineligible Applicant.

Section 7. *Processing Registered Descendant Applications for Tribal Membership*

A. This Section applies only to Registered Descendant Applications (individuals with Descendant numbers), as described in Section 5.

B. By Enrollment Staff:

1. All enrollment applications shall be obtained from the Isleta Pueblo Census/Tribal Enrollment Department or at www.isletapueblo.com, and shall be returned to the Census/Tribal Enrollment Department upon completion of the application.
2. The enrollment staff shall:
 - a) Stamp the application form with the date on which it is received, and acknowledge receipt of it in writing to the Applicant.
 - b) Pull the Applicant's existing file with all supporting documents.
 - c) Ensure that the Descendant Application itself is complete and that the Applicant's file contains all required information as described below in Section 10, Records.
 - d) If information is missing from the Application or the Applicant's file, mail the "Required Documents for Enrollment Folders" form, with the appropriate boxes checked, to the Applicant at the address listed on the Descendant Application for Tribal Membership form. Incomplete files shall not be processed further until the required information is received.
 - e) If the Applicant possesses blood of any other tribe, check on possible dual enrollment. In addition, Applicants shall have the option of securing a certified letter from the other tribe, on that tribe's letterhead, stating that Applicant is not enrolled in the other tribe.
 - f) Separate files that contain a Tribal Enrollment Committee resolution or other similar document approving the Applicant for inclusion on the Descendant list. These files shall not be referred to the Tribal Enrollment Committee. All other files that do not contain a Tribal Enrollment Committee resolution or other similar document approving the Applicant for inclusion on the Descendant list shall be reviewed by the Tribal Enrollment Committee.

- g) Except as stated in Section 8 below, complete the above actions within thirty (30) working days of receipt of the application and forward appropriate documentation to the Tribal Enrollment Committee or the Tribal Council. This time limit shall be extended if the sole reason for delay is the return of the dual enrollment verification from another tribe or pueblo.

C. By the Tribal Enrollment Committee:

1. The Tribal Enrollment Committee shall:
 - a) Examine applications and documentation presented by enrollment staff.
 - b) Determine accuracy and sufficiency of research, requiring additional action by the enrollment staff if necessary.
 - c) Decide to accept or reject Applicants.
 - d) Document decisions with resolutions.
 - e) Direct the staff to notify accepted Applicants of action taken, informing them of the membership number assigned.
 - f) Direct the staff to notify ineligible Applicants of Tribal Enrollment Committee's action, and of their right to appeal the decision of the Tribal Enrollment Committee to the Tribal Council. The Chair of the Tribal Enrollment Committee must sign the letter of ineligibility.
2. The Tribal Enrollment Committee shall complete the above actions within thirty (30) working days of its receipt of the material from the staff.
3. Files that contain a Tribal Enrollment Committee resolution or other similar document approving the Applicant for inclusion on the Descendant list do not require Tribal Enrollment Committee review or approval.

D. By Tribal Council:

Descendant Applications for Tribal Membership that do not require Tribal Enrollment Committee review, as described in Section 7(C)(3) above, shall be sent directly to Tribal Council. The Tribal Council will approve resolutions certifying these Applicants as Isleta Pueblo Tribal Members.

Section 8. *Priority Period for Descendant Applications for Tribal Membership*

A. This Section applies only to Registered Descendant Applications (individuals with Descendant numbers), as described in Section 5.

B. Purpose

The purpose of this Section is to prioritize the processing of Registered Descendant Applications for Tribal Membership to accommodate the anticipated increase in applications following the 2016 Constitutional amendment lowering the Isleta Indian blood quantum requirement for membership from one-half (1/2) to one-quarter (1/4).

C. Priority Period for Registered Descendant Applications

1. The priority period shall run from the date of the passage of this Ordinance through January 31, 2017. All Registered Descendant Applications received on or before January 31, 2017 shall be given priority as described in this Section.
2. During the Priority Period only, the Census/Tribal Enrollment Department shall have sixty (60) days from the date of receipt of a complete application to process the application.

D. Applications for Individuals Age One Year or Younger

All applications for individuals one year old or younger shall also receive priority treatment during this period of time. They shall be subject to the same time periods for processing applications as Registered Descendant Applications.

E. Suspension of Processing Other Applications

The processing of applications not included in Subsections 8(B) and 8(C) above shall be suspended through February 28, 2017. The Census/Tribal Enrollment Department shall resume processing these applications beginning March 1, 2017. The running of the thirty (30) day time limit set in Subsection 6(A)(2)(i) is suspended during this period of time.

F. Extenuating Circumstances

Enrollment staff may consider any emergency application on a case-by-case basis.

Section 9. *Appeals*

- A. Applicants who are determined ineligible by the Tribal Enrollment Committee, and current Isleta Pueblo Tribal Members who wish to challenge changes made to his/her membership record(s) by the Tribal Enrollment Committee, shall be notified by certified mail return receipt requested. The notice shall state the specific reason(s) for Applicants that do not qualify and the specific change(s) that will be made to current Isleta Pueblo Tribal member(s) and advise them of the right to appeal. The appellant shall be advised to submit with the appeal any supporting evidence not previously furnished. The appellant shall have the right to bring a spokesperson or witnesses on his/her behalf to attend his/her appeal hearing.
- B. The appellant shall bear all costs associated with his/her appeal.
- C. The Tribal Council must receive any appeal not later than thirty (30) working days from the date of receipt of the notice. If the deadline for an appeal falls on a weekend or on a holiday (including a tribal holiday), the following regularly scheduled workday becomes the deadline.
- D. If the appellant fails to file an appeal within the thirty (30) days described above, the Tribal Council shall uphold the decision of the Tribal Enrollment Committee.
- E. When an appeal is received, the Tribal Council shall base its decision solely upon documentation evidence presented with the appeal. The decision of the Tribal Council on the appeal shall be final. The decision of the Tribal Council shall be in a written resolution. Such decision shall be in writing, filed in the appellant's file and sent to appellant within thirty (30) working days.
- F. Through resolution, the Tribal Council shall complete the above actions within thirty (30) working days of its receipt of the appeal from the appellant.
- G. The Tribal Enrollment Committee shall be present at all appeal hearings for consultation purposes. The Tribal Enrollment Committee will be excused before the Tribal Council renders a decision on the appeal.
- H. The Enrollment Coordinator shall provide a written and oral briefing to Tribal Council immediately prior to the commencement of any appeal hearing.

Section 10. *Records*

- A. Contents of an Individual Folder. An individual folder shall be established for each tribal member. This folder shall contain the following items:
1. Application Form
 2. Family Tree
 3. Birth Certificate
 4. Adoption documentation (If applicable)
 5. Marriage license(s) (If applicable)
 6. Divorce Decree (If applicable)
 7. Correspondence
 8. Copy of resolutions affecting enrollment
 9. All other documentation on the person pertinent to membership in the tribe
 10. Death Certificate (If applicable)
- B. Access to Records: Neither the roll nor any portion thereof may be copied and/or distributed to any person or organization except upon permission of the Isleta Pueblo Tribal Council by appropriate resolution. The Tribal Council shall use its discretion, not inconsistent with this ordinance, in using and/or releasing information from the roll for the benefit of tribal members or tribal programs.
- C. Information in individual folders shall be considered confidential. It shall not be available to anyone except that individual member (or his/her guardian or legal representative) and to enrollment staff, Tribal Enrollment Committee members, and the Tribal Council Secretary when such examination is necessary in considering enrollment decisions.
- D. An Isleta child who is adopted by a non-biological parent(s) must prove the child's eligibility for enrollment through one or both of the biological parents. Documentary evidence submitted to support an adopted person's application for enrollment must show relationship to the natural parent through whom eligibility for enrollment is claimed. The information concerning adopted persons shall be recorded as confidential and shall not be made public to any other person. This information shall be contained in locked file cabinets, and adequate safeguards shall be installed to ensure that the confidentiality of these records shall not be violated.
- E. Updating Records. Upon receipt of certified documentation, the enrollment staff is authorized to update the information on the tribal roll. The following documentation is deemed adequate for such actions to be taken:
1. Name Change –
 - a) Marriage license
 - b) Divorce decree
 - c) Court order changing name

2. Address Change –
 - a) Written statement signed by tribal member or his/her guardian
3. Incompetence-
 - a) A tribal court order declaring a tribal member incompetent.
4. Legal Guardianship or power of attorney.
 - a) A tribal court order declaring the sponsor or guardian.
5. Death -
 - a) Death certificate
 - b) Bureau of Indian Affairs records
 - c) Mortuary records
 - d) Hospital records
 - e) Tribal Verification of Death

F. Descendants List.

1. In addition to a membership roll, there exists a Descendants list, made up of individuals with less than one-half (1/2) degree but at least one-quarter (1/4) degree of Isleta Indian blood, who are not enrolled in any other federally recognized Indian tribe. Individuals on this list shall be referred to as “Registered Descendants.”
2. As of the date of the adoption of this amended Ordinance, there shall be no further additions to the Descendants list.
3. Registered Descendants applying for membership may use the Descendant Application for Tribal Membership, as described in Section 5 above. As these individuals are enrolled as members in the Isleta Pueblo, they shall be taken off the Descendants list.

G. Errors: Any errors found shall be brought to the attention of the Tribal Enrollment Committee, before any corrections are made. Before any substantial change to a member’s record can be made, the member shall be given notice by certified mail, return receipt requested, that the change(s) will take place within thirty (30) working days from the receipt of the letter. The member may request to be present before the Tribal Enrollment Committee and to present any information they deem relevant. Should the Tribal Enrollment Committee determine that a member’s blood quantum will be changed, the affected tribal member(s) may appeal the decision to the Tribal Council subject to the conditions in Section 9 of this ordinance. The Tribal Council will render a decision in writing through resolution within thirty (30) working days and submit their decision to the Tribal Enrollment Committee. The Tribal Enrollment Committee will then inform the staff to make whatever corrections the Tribal Council has so ordered. The Tribal Council’s decision will be final.

- H. Changes in Blood Quantum and Other Changes Requested by Tribal Member(s). Any requested changes in blood quantum or any other changes in the enrollment record must be made in writing by the member requesting the change. The member requesting the change must also bring in all supporting documentation. In the event of a request concerning a minor or incompetent, the parent(s) or legal guardian(s) making the request must provide proper verification that he, she, or they are the parent(s) or legal guardian(s) of such minor or incompetent member. Additionally, each parent and guardian of such minor or incompetent member who is then alive shall sign the request; provided that if there is no surviving parent or guardian who is a tribal member in the Pueblo of Isleta, a non-member parent or guardian may sign a request on behalf of such minor or incompetent. The staff will forward the request and appropriate documentation with a recommendation for or against possible changes to the Tribal Enrollment Committee. The Tribal Enrollment Committee will render a decision within thirty (30) working days and shall submit their decision to the staff. The staff will then inform the tribal member(s) by certified mail, return receipt requested, of any changes made to his or her record. If the tribal member does not agree with the decision of the Tribal Enrollment Committee, the member may appeal in accordance with Section 9 of this Ordinance.

Section 11. *Loss of Membership*

A. Relinquishments.

1. Any adult member of the Isleta Pueblo may voluntarily relinquish his/her membership. His/her parent or guardian may relinquish the membership of any member of the Isleta Pueblo who is not at least 18 years of age. All relinquishment requests must be in writing, and the signature must be notarized.
2. Any member wishing to relinquish will be encouraged to do so on a conditional relinquishment form. In such case, the relinquishment will become effective upon the acceptance of that individual into membership of another tribe. The member's name will not be removed from the Isleta Pueblo's tribal roll until documentation of the acceptance into the other tribe's membership is received. However, should a member insist upon relinquishing in writing without using the conditional relinquishment form, the tribe will comply with the member's wishes, and will remove the member's name from the Isleta Pueblo tribal roll on the effective date specified in the relinquishment submitted.
3. Notwithstanding anything else contained herein, relinquishments of membership by minor or incompetent members shall be effective only if;
 - a) The Pueblo has received written confirmation that such minor or incompetent member is to be accepted for enrollment in another tribe conditioned only upon relinquishment of membership in the Pueblo of Isleta, and;

- b) The parent(s) or guardian(s) signing the relinquishment request provide proper verification that he, she, or they are the parent(s) or legal guardian(s) of such minor or incompetent member, and;
 - c) Each parent and guardian of such minor or incompetent member who is then alive and a tribal member in the Pueblo of Isleta joins in and signs such request for relinquishment; provided that if there is no surviving parent or guardian who is a tribal member in the Pueblo of Isleta, a non-member parent or guardian may sign a valid and effective request for relinquishment on behalf of such minor or incompetent.
- 4. Adult Member's relinquishing their membership will not be entitled to re-apply for membership. Once relinquished, their relinquishment is final.
 - 5. Minors who have been relinquished by their parents or guardians may re-apply for membership upon reaching the age of 18 years. In the event that a relinquished minor, after reaching the age of 18, files an application for enrollment into the Isleta Pueblo, the enrollment criteria pending at the time the application is submitted to the enrollment department will be in effect for those applications.

B. Dis-enrollments.

- 1. A tribal member who is found to have been erroneously or fraudulently enrolled, or is an enrolled member of another Indian tribe, or any other person who is found not eligible for tribal membership pursuant to the tribe's membership requirements contained in the Constitution of the Isleta Pueblo shall be subject to dis-enrollment.
- 2. Such a member shall be notified by certified mail, return receipt requested, of the intent to dis-enroll. The reasons supporting dis-enrollment, and the date set for a hearing before the Tribal Enrollment Committee to consider the matter, will be included in the notice. Following the hearing, whether the affected member makes any appearance or response, the Tribal Enrollment Committee shall determine if the member is to be dis-enrolled. That decision shall be documented in a resolution. The dis-enrolled member shall be notified of the action taken by the Tribal Enrollment Committee by certified mail, return receipt requested.
- 3. Such notice shall include the right to appeal to the Tribal Council within thirty (30) working days of the date of receipt of the decision of the Tribal Enrollment Committee. The decision of the Tribal Council shall be final.

Section 12. *Challenges*

- A. Any adult member of the Pueblo of Isleta may challenge the membership of another tribal member provided that:
1. They bring any and all documentation supporting their claim to the enrollment staff for evaluation.
 2. The staff will investigate the claim(s) made utilizing all available records and resources
 3. If the staff determines that the claim has no merit, they will forward a letter to the challenger informing them that there is insufficient documentary evidence to support their challenge.
 4. If the staff determines that the claim has merit, they will inform the Tribal Enrollment Committee that an investigation is warranted.
 5. The Tribal Enrollment Committee will thoroughly investigate the challenge and take appropriate action as required.
 6. If the Tribal Enrollment Committee so orders, A DNA test of the member in question shall be conducted but only for the purpose of determining paternity.
 7. The member shall be notified in writing, by certified mail, return receipt requested, of the notice to submit to DNA testing within thirty (30) working days. Failure to submit to DNA testing shall result in the dis-enrollment of challenged member.
 8. Should notification from the certified DNA laboratory support the challenged member's right to sustained membership, the enrollment staff will document the DNA lab's findings in the member's file and dismiss the challenge. The challenger will be notified that the case is closed.
 9. Should notification from the certified DNA lab refute the challenged member's right to membership, the Tribal Enrollment Committee will inform the challenged member of a hearing date before the Tribal Enrollment Committee. Standard dis-enrollment procedures, outlined in Section 11(B), Loss of Membership, of this ordinance, shall apply.
 10. The challenged member has to right to have an attorney or a tribal representative, at his or her expense, present at all dis-enrollment hearings.
 11. The cost of DNA testing for tribal members shall be borne by the Pueblo of Isleta.

Section 13. *Application to Pending Applications/Effectiveness*

- A. This Ordinance shall apply to (a) any application for membership which is filed on or after July 13, 2006 (the "Date of Enactment") and (b) any application for membership that was filed with the Enrollment Clerk before the Date of Enactment but not Complete on the Date of Enactment. Any application for membership which was Complete on the Date of Enactment shall be processed in accordance with the Tribal Council's practices and procedures in effect immediately prior to the Date of Enactment and the decision whether to grant or deny any such application shall be made by Tribal Council Resolution. For purposes of this Section, the term "Complete" means that all documentation necessary for the Tribal Council to reach a determination on a particular application, such as a written election of conditional relinquishment of membership in another tribe, had been delivered to the Enrollment Clerk on or before the Date of Enactment.

Section 14. *Severability.*

- A. In the event any sentence, paragraph or section of this ordinance is held to be unconstitutional or otherwise invalid, the remaining sentences, paragraphs or sections shall remain valid and be presumed consistent with the Constitution and all other applicable laws.

Section 15. *Amendments*

- A. The Tribal Council by a majority vote shall have the power to amend this ordinance, consistent with the provisions of the Constitution. This ordinance supersedes and takes precedence over any enrollment resolution or enrollment ordinances previously adopted.

Section 16. *Certificate of Enactment*

- A. The Isleta Pueblo Tribal Council duly enacted the foregoing Ordinance at a meeting held on July 13, 2006 by a vote of ten (10) in favor, zero (0) opposed, and two (2) abstentions, a quorum being present, by Resolution # 2006-117, Tribal Enrollment Ordinance Resolution at the Pueblo of Isleta.
- B. The Isleta Pueblo Tribal Council duly enacted an amendment to Section 2, letter b, at a meeting held on February 22, 2007, by a vote of twelve (12) in favor, zero (0) opposed and zero (0) abstentions, a quorum being present, by Resolution # 2007-034.
- C. The Isleta Pueblo Tribal Council duly enacted an amendment to Section 8, letter a, number 3, at a meeting held on May 31, 2007, by a vote of ten (10) in favor, one (1) opposed and zero (0) abstentions, a quorum being present, by Resolution # 2007-094.

- D. The Isleta Pueblo Tribal Council duly enacted an amendment to Section 7, letter f, at a meeting held on May 31, 2007, by a vote of ten (10) in favor, zero (0) opposed and two (2) abstentions, a quorum being present, by Resolution # 2007-106.
- E. The Isleta Pueblo Tribal Council duly enacted amendments to Sections 2, 3, 5, 6, 7, and 13 at a meeting held on January 20, 2010, by a vote of six (6) in favor, zero (4) opposed and zero (0) abstentions, a quorum being present, by Resolution # 2010-031.
- F. The Isleta Pueblo Tribal Council duly enacted amendments to Section 2 (deletions from subsection (A)), Section 4 (deletions/changes to wording in subsection (C) and additions to working in subsection (G)), Section 5 (deletions/additions to wording in subsection (E) and deletion of wording in subsection (G)), Section 7 (adding of wording in subsection (H)) and Section 13 (addition of new subsection (F)) at a meeting on held on December 21, 2010, by a vote of **10** in favor, **0** opposed and **0** abstentions, a quorum being present, by Resolution No. 2010 - 148.
- G. The Isleta Pueblo Tribal Council duly enacted amendments to Section 4.C.1.(g) at a meeting held on August 11, 2011, by a vote of 7 in favor, 2 opposed and 1 abstention, a quorum being present, by Resolution No. 2011-053.
- H. The Isleta Pueblo Tribal Council duly enacted amendments to Sections 1, 2, 3, 4, 5, 6, 7, 8, 10, 12, and 16 (in addition to re-numbering sections 5 through 16) at a meeting held on June 20, 2016, by a vote of 5 in favor, 1 opposed and 0 abstentions, a quorum being present, by Resolution No. 2016-079.

TRIBAL COUNCIL OFFICE



PHONE: 505-869-9746

FAX: 505-869-5276

PUEBLO OF ISLETA

P.O. BOX 1270
ISLETA, NM 87022

POLICIES FOR THE CENSUS/ENROLLMENT DEPARTMENT

PUEBLO OF ISLETA

Property Pueblo of Isleta
www.isletapueblo.com

Policies and Procedures – Table of Contents

Introduction.....	Page 2
Section 1 – Responsibilities of the Chair and Vice-Chair.....	Page 2
Section 2 –Responsibilities of the Secretary.....	Pages 2-3
Section 3 – Tribal Enrollment Committee Responsibilities - Data.....	Page 3-4
Section 4 – Tribal Enrollment Committee – Resolutions and Reports.....	Page 4
Section 5 – Tribal Enrollment Committee – Payments for Meetings.....	Page 4
Section 6 – Tribal Enrollment Committee – Conflict of Interest.....	Page 4
Section 7 – Tribal Enrollment Committee - Rescheduled Hearings.....	Page 4
Section 8 – Tribal Enrollment Committee – Removal.....	Pages 4-5
Section 9 – Tribal Enrollment Staff - Responsibilities.....	Page 5-6
Section 10 –Tribal Enrollment Staff – Presence at Committee Meetings.....	Page 6
Section 11 –Tribal Enrollment Staff – Directives.....	Page 6
Section 12 – Tribal Enrollment Staff – Log Book.....	Page 6
Section 13 – Membership Files.....	Page 6-7
Section 14 – Incomplete Applications.....	Page 7
Section 15 – Information Requests.....	Page 7-8
Section 16 – Verification Process.....	Page 8-9
Section 17 – Paternity Affidavits.....	Page 9
Section 18 – Blood Quantum Changes.....	Page 9-10
Section 19 – Conflicting ID Numbers and Other Changes.....	Page 10
Section 20 – Certification of Tribal Verification.....	Page 10
Section 21 – Resolutions Accepting Applicants into Membership Status.....	Page 10-11
Section 22 – Emergency Applications.....	Page 11
Section 23 – Disenrollment.....	Page 11-12
Section 24 – Disenrollment Hearings – Electronic Communication.....	Pages 12
Section 25 – Inactive Membership – Loss of Membership/Descendant Status.....	Page 12-13
Section 26 – Semi-Annual Reporting.....	Pages 13
Section 27 – DNA Policies.....	Page 13-14
Section 28 – Subpoenas.....	Pages 14
Section 29 – Procurement of Supplies and Equipment.....	Page 14-15
Section 30 – Travel Policy.....	Page 15
Section 31 – ICWA.....	Page 15-16
Section 32 – Data Backup.....	Page 16
Section 33 – Signature Authority	Page 16-17
Section 34 – Enrolling Applicants Previously on the Registered Descendants List	Page 17-18
Section 35 – Certification of Enactment	Page 18

**Policies for the Census/Enrollment Department
Pueblo of Isleta**

Introduction:

The Isleta Enrollment Committee and Enrollment Staff are resolved in being responsive to the people whom it serves. The Isleta Enrollment Staff is held accountable for establishing accurate, consistent, and permanent records for its Pueblo and constituency. Many programs and services offered by the Isleta Pueblo, depend on the certification processes that the Isleta Enrollment Staff implements.

To ensure accuracy, consistency, and fairness, the Isleta Tribal Enrollment Committee has developed these Policies and Procedures. These Policies and Procedures represent years of experience and will include on-going development and revision. These Policies and Procedures provide instructions on how to complete the important processes performed by the Tribal Enrollment Committee and the Enrollment Staff.

Section 1

Tribal Enrollment Committee – Responsibilities of the Chair and Vice-Chair

- A. It is the responsibility of the Chair to conduct all meetings of the Tribal Enrollment Committee and to ensure that all Tribal Enrollment Committee members are in attendance at all Tribal Enrollment Committee meetings. The Chair signs all documentation which requires any action taken by the Tribal Enrollment Committee.
- B. The Vice-Chair assumes all responsibilities of the Chair in the absence of the Chair.

Section 2

Tribal Enrollment Committee – Responsibilities of the Secretary

- A. The Tribal Enrollment Committee Secretary is responsible for the following:
 - 1. Recording and distribution of Tribal Enrollment Committee minutes
 - 2. Formulation and distribution of the proposed agenda for each regular and special scheduled meeting on the day of each meeting.
 - 3. Minutes and Agendas will be inserted into each Tribal Enrollment Committee Desktop manual located at the Tribal Census/Enrollment Department which is kept under lock and key.
 - 4. Maintenance of all Tribal Enrollment Committee records in a secured environment
 - 5. Each Tribal Enrollment Committee member will be furnished with a Desktop manual which shall include the following:
 - a) Tribal Constitution
 - b) Tribal Enrollment Ordinance
 - c) Tribal Enrollment Committee By-laws
 - d) Enrollment Department Policies and Procedures
 - e) Agenda and Minutes

- f) Tribal Enrollment Committee Correspondence
 - g) Tribal Enrollment Committee Individual Documentation
 - h) A copy of individual Oath of Office
- B. The Desktop Manual will contain the approved minutes of previous meetings for one year. The Tribal Enrollment Committee will remove all minutes older than one year and shred them.
- C. Permanent records of all minutes will be maintained by the Secretary indefinitely in a secured digital environment and password(s) protected. Whenever Tribal Enrollment Committee member positions are vacated for any reason whatsoever, the password(s) will be changed immediately. Only the Secretary and the Chair will have access to the password(s). The Chair will change password(s) at least semi-annually. The Chair shall notify the Secretary of any changes and inform him or her of the new password(s).
- D. The Secretary will develop the agenda for each Tribal Enrollment Committee meeting. The agenda will list each topic to be reviewed. Example; Applications for membership; appeals hearing(s), blood quantum changes; relinquishments, etc. The Tribal Enrollment Committee will review and adopt the agenda as its first order of business at each Tribal Enrollment Committee meeting.
- E. Any business not concluded at the preceding Tribal Enrollment Committee meeting will be listed on the agenda of the current meetings under the heading Unfinished Business.
- F. The Secretary will maintain desktop manuals for all Tribal Enrollment Committee members. Included in the desktop manual will be the Isleta Tribal Constitution, the Enrollment Ordinance, the Tribal Enrollment Committee By-laws, Enrollment Policies and Procedures, current minutes and all directives that have been forwarded to the Enrollment Staff.

Section 3

Tribal Enrollment Committee Responsibilities - Data

- A. The Tribal Enrollment Committee Secretary will facilitate data backups for all agendas and minutes on a flash drive to be maintained off-site by the Tribal Enrollment Committee Secretary and on CD's to be maintained on site in a locked file cabinet.
- B. Any and all materials, notes (personal and official), data backup devices that are maintained by any Tribal Enrollment Committee member must be surrendered to the Tribal Enrollment Committee on his or her last day of service. The Chair, the Secretary and the Secretary of the Tribal Council or his or her designee must be present during the surrender of all documents and data, and will account, in writing, for all materials surrendered. All documents and data will be immediately destroyed and the Chair, the Secretary and Tribal Council Secretary, or his or her

designee, will sign a release form for the former Tribal Enrollment Committee member.

Section 4

Tribal Enrollment Committee – Resolutions and Reports

- A. Any resolutions adopted by the Tribal Enrollment Committee must be signed by the Chair and the Tribal Enrollment Committee Secretary. If the Chair is absent, the Vice-Chair assumes the full role of the Chair and co-signs all resolutions with the secretary.

Section 5

Tribal Enrollment Committee - Payments for Tribal Enrollment Committee Meetings

- A. The Tribal Enrollment Committee will submit requests for payment for Tribal Enrollment Committee meetings at the end of each calendar month. The requests will detail the number of meetings and the total hours for each meeting and total cumulative hours for the month for each Tribal Enrollment Committee member.

Section 6

Tribal Enrollment Committee - Conflict of Interest

- A. Any Tribal Enrollment Committee member that is related by blood or marriage (spouse, in-laws, children, adopted children, aunts, uncles, nephews, nieces and first cousins) to the person(s) being reviewed for any enrollment purposes, the Enrollment Committee Member(s) related must recuse him or herself from any vote regarding the affected person(s).

Section 7

Tribal Enrollment Committee - Rescheduled Hearings

- A. If the committee cancels a hearing when a member or Applicant has been scheduled, the committee must reschedule the meeting within forty-five (45) working days.

Section 8

Tribal Enrollment Committee - Removal

- A. When the Tribal Enrollment Committee finds just cause to remove a Tribal Enrollment Committee member from the Tribal Enrollment Committee, they must pass a resolution by a majority vote of the entire Tribal Enrollment Committee (three members must vote for the removal) for the Tribal Council to consider the removal. The resolution will state clearly the reason(s) for the proposed removal. The resolution, once adopted by the Tribal Enrollment Committee, will be forwarded to the Tribal Council Secretary for approval by the Tribal Council.

- B. Should the Tribal Council vote in the affirmative to remove the affected Tribal Enrollment Committee member, the Tribal Council will notify the Tribal Enrollment Committee member that they are no longer a member of the Tribal Enrollment Committee and remind the removed member of his or her oath of office in regard to continued confidentiality.
- C. Should the Tribal Council vote against removal, the Tribal Enrollment Committee member will remain on the Tribal Enrollment Committee in accordance with the Tribal Enrollment Committee By-laws.

Section 9

Enrollment Staff – Responsibility to Prepare Files that go to the Tribal Enrollment Committee for Review

- A. The Enrollment Staff shall prepare written chronological reports, (excluding newborn applications) appropriately titled, with recommendations on each application. The Enrollment Staff will provide to each Tribal Enrollment Committee member a copy of the report(s) when presenting applications at a Tribal Enrollment Committee meeting.
- B. The Enrollment Staff will deliver to the Tribal Enrollment Committee Secretary a complete list of Applicants' names and the name of which staff member will be presenting each application. Included in the list will be;
 - 1. Name of Applicant
 - 2. Type of application (Membership, Descendant, Relinquishment)
 - 3. Date of birth and age
 - 4. Application date
 - 5. I or D # if applicable
 - 6. Recommendation for membership, descendant status or ineligibility
- C. The list will be delivered to the Tribal Enrollment Committee Secretary no later than noon on the day preceding any Regular or Special meeting of the Tribal Enrollment Committee.
- D. In order for the Tribal Enrollment Committee to function properly, it is essential that any requests made by the Tribal Enrollment Committee to the Enrollment Staff be carried out in a timely and efficient manner. Each request made by the Tribal Enrollment Committee to the Enrollment Staff will be made along with a reasonable deadline for completion of requested tasks. The staff must comply with requests made by the Tribal Enrollment Committee within the timeframe for each specific task.

Section 10

Enrollment Staff - Presence at Tribal Enrollment Committee Meetings

- A. At least one member of the Enrollment Staff will be present at the commencement of each Tribal Enrollment Committee meeting to present membership applications. The Tribal Enrollment Committee may determine by a majority vote or by consensus if they require the Enrollment Staff's attendance once membership applications have been reviewed and processed.

Section 11

Enrollment Staff - Directives

- A. Directives presented to the Enrollment Staff must be type-written and each directive clearly explained on Tribal Enrollment Committee letterhead. The directives will be signed by the Tribal Enrollment Committee Chair. Directives will be delivered to the Enrollment Staff within twenty-four (24) hours after the adjournment of each meeting. Should the Enrollment Staff require additional information on any directives; the Enrollment Staff will request information from the Tribal Enrollment Committee Chair or the Tribal Enrollment Committee Secretary.
- B. The Enrollment Staff will have ten (10) working days to respond to the Tribal Enrollment Committee on any directives issued.
- C. The Enrollment Staff will stamp the directives with a date stamp to indicate the start of the ten (10) working days cycle.

Section 12

Enrollment Staff - Log Book

- A. The Enrollment Staff will maintain a log book on all time-sensitive documentation. The Enrollment Staff will check the log weekly and inform the Tribal Enrollment Committee of all up-coming deadlines. Any issues that require immediate attention will be submitted to the Tribal Enrollment Committee Secretary to be included on the next agenda.

Section 13

Membership Files

- A. When files are requested by the Tribal Enrollment Committee or by the Tribal Council Secretary for enrollment purposes only, the Enrollment Staff will have the appropriate party or parties sign the file log form with the date and the name(s) of the file(s) requested. When the file(s) are returned, the file log form will be signed again to signify that the file(s) are back in safe keeping by the Enrollment Staff.
- B. Upon request by the Tribal Enrollment Committee for any membership file, the Enrollment Staff will retrieve the file(s) and present them to the Tribal Enrollment Committee.

- C. Whenever a tribal member/descendant reviews his or her own file, or the file of their minor child, or ward, the Enrollment Staff will verify that the requester has the right to access the file. A member of the Enrollment Staff shall be present at all times during the file review. The Enrollment Staff will create a checklist of all documents in the member's/descendant's file in duplicate. One copy will be given to the tribal member/descendant and one will be retained in the member's/descendant's file. The Enrollment Staff and tribal member/descendant will sign and date the checklist to verify its' contents.

Section 14

Incomplete Applications

- A. When an application is incomplete, the Enrollment Staff will send the Applicant a letter requesting the additional information and informing the Applicant that they have thirty (30) working days to submit the required documentation. This letter shall be signed by the Enrollment Department Director. If the Applicant submits the required documentation, the application will then be processed in accordance with the Tribal Enrollment Ordinance. If the Applicant does not submit the requested documentation within thirty (30) working days from the date of the letter requesting the information, the Applicants file will be returned to the Applicant, certified mail, return receipt requested.

Section 15

Information Requests

- A. In the event that the Enrollment Staff receives an official letter from another Federally Recognized Indian Tribe, Nation, Band or Pueblo, requesting a Certificate of Tribal Verification (CTV) on a tribal member, the Enrollment Staff will comply and forward an official copy of the CTV to the tribe requesting the information, providing that the Enrollment Staff calls directory information to verify that the telephone number listed on the letterhead is valid, and further provided that the Enrollment Staff calls the tribe requesting the information to verify the source of the letter. The official letter will be accepted by the Enrollment Staff if delivered by the US Postal Service or by FAX. The Enrollment Staff will procure the signature of the Tribal Enrollment Committee Vice Chair on the CTV prior to forwarding the CTV's to any tribe or entity requesting the CTV. The Enrollment Staff will not comply if the request comes in any form other than on official letterhead of the tribe requesting the information.
- B. Upon request from the tribe initiating the request for CTV information, the Enrollment Staff can mail and/or fax the CTV.
- C. A log of all CTV's will be maintained by the Enrollment Staff. The log will contain the enrollment number, the name, date of birth, the purpose, and date of request, the party requesting the CTV, the date the CTV was requested, the date the CTV was forwarded and the name and title of person signing the CTV.

- D. All intra-departmental requests for information on tribal members must be on an official request form and signed and dated by the person requesting the information. The Enrollment Staff will forward the requested information in accordance with all laws of the Pueblo Isleta and retain a copy of the request in the member's file.
- E. Email requests for tribal verification will not be honored.
- F. Correspondence from individuals or tribes requesting information and/or research will be date stamped and presented to the Tribal Enrollment Committee at the next scheduled meeting of the Tribal Enrollment Committee.
- G. If the Tribal Court requests information that does not require the Enrollment Staff/Tribal Enrollment Committee to submit documentation, the request from the Tribal Court must be in writing and signed by an Isleta Tribal Court judge. The Enrollment Staff/Tribal Enrollment Committee shall comply in writing with the Tribal Court requests.

Section 16

Verification Process

- A. If the Applicant does not provide a certified birth certificate, there will be an enrollment application fee of \$10.00 to cover the cost of obtaining a certified birth certificate. The Applicant will submit a money order payable to State of New Mexico, Vital statistics, and a copy of the money order will be placed in the Applicant's file. Along with the fee and application, the Applicant will sign a release form authorizing the Enrollment Staff to obtain the Applicant's birth certificate from the issuing agency.
- B. If an Applicant possesses blood of other tribe(s), that tribe(s) must be contacted to verify whether or not the Applicant is a tribal member of that tribe. The Enrollment Staff will request documentation from the other tribe(s) verifying whether or not the Applicant is enrolled. The Enrollment Staff will also offer the Applicant the option of securing a certified letter from the other tribe, on that tribe's letterhead, stating that Applicant is not enrolled in the other tribe. As with Information Requests, the Enrollment Staff will call or contact directory information to verify that the telephone number listed on the letterhead is valid, and will call the tribe requesting the information to verify the source of the letter.
- C. Documentation is required to substantiate a name change where a parent's name on the birth certificate does not match the parent's name on the tribal membership roll, when the Applicant is relying on that parent's Isleta Indian blood to become a member.
- D. The Enrollment Staff shall develop guidelines to contact extended family members, agencies or other pertinent sources of information to aid in the gathering of documented information for research in cases where all other avenues have been exhausted. Such guidelines shall include the following: the development of a Family tree; research of old census books, and verification of Applicant's

information against current Tribal Members' information already on file. In the event the Enrollment Coordinator determines that there is insufficient information to verify, the Enrollment Coordinator shall request further information from the Applicant in writing.

If no new or useful information is submitted by the Applicant, the Enrollment Staff shall make a determination of what extended family members, agencies or other sources to contact. The Enrollment Coordinator shall draft and submit a letter requesting information from the extended family members, agencies or other sources. The letter shall include the reason for the request, as well as a statement that the Enrollment Staff will keep any information obtained confidential and will use the information only for the requested purpose.

Section 17

Paternity Affidavits

- A. If the father's name is not listed on a Birth Certificate, his blood quantum cannot be calculated into the total blood of the child. All paternity affidavits must be signed by the person claiming to be the father and his signature must be notarized. The paternity statement must be sent to the Isleta Tribal Court for consideration, as per the tribal constitution Article II, Section 8. The Isleta Tribal Court will make a determination as to whether or not the person listed on the paternity statement is the father of the Applicant or tribal member.
- B. Once a determination has been made by the Tribal Court, a copy of the judgment will be retained in the member or Applicant's file. Should the Tribal Court find on behalf of the father, the application or member's record will be updated according to the Tribal Court decision.
- C. If the Tribal Court finds in the father's favor for paternity, the amended Birth Certificate is then forwarded to the Enrollment Staff and presented to the Tribal Enrollment Committee and a final decision made by the Tribal Enrollment Committee.

Section 18

Blood Quantum Changes

- A. When a tribal member's record has been changed to reflect an increase or decrease in his or her blood quantum, both descendants and siblings may be affected. As a result, a thorough review of how those changes have affected tribal members' relations must be facilitated. Changes to biological descendants' records must be made to be consistent with the affected ancestor(s). Changes to siblings' records will depend on the relation of siblings to his or her ancestors.

Section 19

Conflicting Tribal ID Numbers and Other Changes

- A. When a tribal member is listed as both a member (I number) and a descendant (D number) the Enrollment Staff will inform the Tribal Enrollment Committee. The Tribal Enrollment Committee will direct the Enrollment Staff to make the changes if appropriate and terminate the (I or D number) in the Progeny system.
- B. Any changes that the Enrollment Staff wishes to make to a member's file must first be reported to the Tribal Enrollment Committee. If the Tribal Enrollment Committee determines that the changes can be made without informing the Tribal Council, (minor and inconsequential changes only) the Tribal Enrollment Committee will inform the Enrollment Staff to make the appropriate changes. All changes made to files of Tribal Members/Descendants shall be requested by the Tribal Enrollment Committee in the directives.
- C. This Section shall not apply to descendants who become members by filing a Descendant Application for Tribal Membership.

Section 20

Certificate of Tribal Verification (CTV's)

- A. CTV's must be signed by the Tribal Enrollment Committee Chair or the Enrollment Director. A log will be kept by the Enrollment Staff listing all CTV's that have been issued.
- B. Upon receipt of a CTV for Tribal Enrollment signature, the signee will ensure accuracy by cross referencing information to the Official Roll of Tribal Members or the Official Roll of Tribal Descendants.

Section 21

Resolutions Accepting Applicants into Membership Status

- A. Resolutions accepting Applicants for membership status must be signed by the Tribal Enrollment Committee Chair/or co-Chair and Secretary/or acting secretary. A copy of the resolution will be maintained by the Tribal Enrollment Committee Secretary and a copy forwarded to the Enrollment Staff. The Enrollment Staff will maintain a resolution log with the resolution number and maintain all resolutions and the resolution log indefinitely.
- B. A copy of the resolution will be inserted into the individual's file. The Enrollment Staff will forward a copy of the resolution, an original CTV and a cover letter informing the individual that he or she has been accepted for Isleta Tribal membership/descendant status. If the certified letter is returned to the enrollment department unclaimed, it will be inserted into the individual's file.

- C. The Tribal Enrollment Committee will independently maintain a resolution log by resolution number. The Committee's log will be reconciled with the Enrollment Staff's log prior to the semi-annual meeting with the Tribal Council.

Section 22

Emergency Applications

- A. When it has been determined that an Applicant meets all requirements for membership but has not yet been admitted into membership, and that Applicant requires medical attention, the Tribal Enrollment Committee will provide written verification that the Applicant is eligible for membership. This written verification shall be signed by the Enrollment Department Coordinator and the Tribal Enrollment Committee Chairperson.
- B. This Section shall continue to apply during the Priority Period for Descendant Applications for Tribal Membership, described in Section 8 of the Enrollment Ordinance.

Section 23

Disenrollment

- A. Should it be determined by the Enrollment Staff or the Tribal Enrollment Committee that a tribal member/descendant may be erroneously or fraudulently enrolled, all pertinent information will be reviewed by both the Enrollment Department Coordinator and the Tribal Enrollment Committee. Should both parties agree that a hearing is warranted, the Enrollment Staff will generate a letter to be forwarded to the affected tribal member/descendant. The letter shall include the scheduled hearing date, time, and location. It shall also include a copy of the findings of the Enrollment Staff and the Tribal Enrollment Committee. The letter and the findings shall be signed by the Enrollment Coordinator and the Tribal Enrollment Committee Chairperson, and sent certified mail, return receipt requested.
- B. Once the hearing is concluded, the Tribal Enrollment Committee will render a decision in closed session and document that decision in a resolution. The disenrolled member shall be notified by certified mail, return receipt requested. The notice shall include the right to appeal to the Tribal Council within thirty (30) working days of the date of receipt of the decision of the Tribal Enrollment Committee.

Section 24

Disenrollment Hearings - Electronic Communication

- A. Persons subject to disenrollment who cannot be in attendance at a disenrollment hearing that has been scheduled by the Tribal Enrollment Committee, may telephone the committee on the date and time of the hearing. The Tribal Enrollment Committee will electronically record such calls as evidence of compliance by the affected member.

- B. The Tribal Enrollment Committee will inform the affected member that his or her conversation is being recorded at the beginning of the recording. If the member agrees to being recorded, the recording may proceed. If the member objects to the recording, the recording stops immediately and is destroyed and the telephone conversation will be concluded immediately.
- C. Since the identity of the caller cannot be verified via the telephone, the Tribal Enrollment Committee recognizes that the purpose of any telephone calls will be for informational purposes only and decisions will be made on available evidence and documentation.

Section 25

Inactive Membership – Loss of Membership/Descendant Status

- A. A tribal member or descendant who has not had any contact (all correspondence to the tribal member or descendant have been returned to the Pueblo of Isleta and there is no current address on file) with the Pueblo of Isleta for three (3) years will be declared inactive. After five (5) years, in the case of members, the member will be removed from the Pueblo of Isleta's tribal membership roll, and, in the case of descendants, the descendant will be removed from the list of descendants maintained by the Tribal Enrollment/Census Department. Before a tribal member or descendant is declared inactive or removed from the Pueblo of Isleta tribal membership roll, all active relatives on the census file cards will be notified in writing requesting information on the whereabouts of the affected member. If after thirty (30) working days, no response has been received by the Enrollment Staff, the affected tribal member will be declared inactive, or removed from the Pueblo of Isleta membership rolls, whichever is relevant. Inactive members' files will be color coded for clear identification.
- B. Once the Enrollment Staff has determined that a member or descendant has been deemed inactive, the Enrollment Staff will present to the Tribal Enrollment Committee a list of those persons to be declared inactive or to be removed from the membership rolls. The Tribal Enrollment Committee will determine if the member(s) are to be declared inactive or removed by resolution. Once a resolution is adopted by the Tribal Enrollment Committee, the Enrollment Staff will maintain a list of all inactive and removed members.
- C. One calendar year before members are to be declared inactive, the Enrollment Staff will request the whereabouts of the member(s) in question which shall be published quarterly in the tribal newspaper.

Section 26

Semi-Annual Reporting

- A. Semi-annual reports will be submitted to the Tribal Council Secretary by the Tribal Enrollment Committee. All Tribal Enrollment Committee members as well as the Enrollment Department Director shall sign the Semi-annual report. The Tribal

Enrollment Committee will request to be placed on the agenda of the next regular scheduled meeting of the Tribal Council to present their report as required in the Pueblo of Isleta Enrollment Committee By-laws. The report will be made to the Tribal Council by the Tribal Enrollment Committee. If the Tribal Enrollment Committee Chair is not available then the Vice Chair assumes the role of the Chair and presents the report to the Tribal Council.

- B. The Semi- annual reports to the Tribal Council will include the following information: For accepted Applicants; the "I" (Isleta) number assigned, the date of birth, the total Isleta blood quantum and gender and the Enrollment Resolution number. For rejected Applicants; the dates of birth, the total Isleta blood, gender and the reason for denial into membership. Also, a listing of all descendants who are less than half Isleta blood quantum containing the following information; the D (Descendant) number assigned, the date of birth, and total Isleta blood.
- C. A list of all deceased tribal members shall be listed on a report prepared by the Enrollment Staff and reported to the Tribal Council semi annually. The report will include the following:
 - 1. Name
 - 2. I number
 - 3. Date of birth
 - 4. Date of Death

Section 27

DNA Policies

- A. When an Applicant is instructed to submit to DNA Paternity testing at a certified laboratory selected by the Tribal Enrollment Committee, the Applicant must comply. The Applicant and/or the Applicant's parents/guardian/sponsor will be informed by the Enrollment Staff that DNA testing is required for the purpose of establishing paternity only. The Applicant and/or the Applicant's parents/guardian/sponsor will:
 - 1. Be given the name, address and telephone number of the DNA lab selected by the Tribal Enrollment Committee.
 - 2. Must call the DNA lab to make an appointment for testing.
 - 3. Must pay the required fee to the Treasurer's office.
 - 4. Must bring the receipt from the Treasurer's office to the Enrollment Staff.
 - 5. Must bring government ID (Driver's license and/or Tribal Photo ID) to the selected lab to verify identification of all parties being tested.
 - 6. Must bring a certified birth certificate(s) and/or social security card(s) and/or certificate of live birth from the hospital for infants being tested.
- B. The DNA lab will send the results of the testing directly to the Enrollment Committee by certified mail. The DNA lab will address all mail to the Chair of the Tribal Enrollment Committee.

Section 28

Subpoenas

- A. When the Tribal Court subpoenas records from the Enrollment Staff, the Enrollment Staff shall comply by supplying copies of the records requested. The Enrollment Staff shall:
1. Place a copy of the subpoena in the file of the affected member
 2. Obtain a signature from the process server or from the person accepting the documents on a standardized form for this purpose
 3. Place the form in the affected member's file
 4. Place the copies of documents in a sealed envelope, stamped confidential, before releasing to the process server or the person in tribal court receiving the sealed documents

Section 29

Procurement of Supplies and Equipment

- A. Procurement of supplies will be initiated by the Enrollment Staff. The Tribal Enrollment Committee will verbally check with the Enrollment Staff to determine if funds are available. If funds are available, the Enrollment Staff will submit the Purchase Request to the Governor's office for approval. Once approved the Purchase Request is submitted to Procurement for purchase.
- B. If item(s) are needed quickly, the Enrollment Staff will submit the Purchase Request to the Governor's office for approval. If approved, the Governor's office will purchase the equipment or supplies immediate, bypassing the procurement office and then submitting the appropriate documentation to procurement for proper updating.
- C. Any approved purchases of equipment and furniture for the Tribal Enrollment/Census department will remain in the possession of the Tribal Enrollment/Census department, and will not be transferred to any other department unless authorized in writing by the Tribal Enrollment/Census department. The Tribal Enrollment/Census department will comply with existing Pueblo of Isleta procurement policies.

Section 30

Travel Policy

- A. A Tribal Enrollment Committee member requesting travel for qualified programs, will inform the Enrollment Staff to initiate the travel process. The Enrollment Staff will make the request on an approved Pueblo of Isleta (POI) Travel Request form. The form will be processed by the Enrollment Staff with assistance from

procurement and then submitted to the Governor's office. Upon approval from the Governor's office, the travel form is submitted to the procurement office, which verifies that the funds are available. If funds are available, the form is submitted to the treasurer's office for expenditure of appropriate per-diem funds and the travel approved.

- B. Upon return from travel, the Tribal Enrollment Committee members will submit receipts for incidental expenses to the Enrollment Staff who in turn submit the receipts for approval to the Procurement office for reimbursement. Incidental expenses can include Taxis, shuttles and parking fees and business related telephone calls.

Section 31

ICWA Coordinator

- A. When the Social Services/ICWA Coordinator is notified that a child has been removed from his or her parents by the appropriate authorities, the ICWA Coordinator forwards a form to the Enrollment Staff to determine if the child is a member of the Pueblo of Isleta, or if the child is eligible for membership.
- B. The Enrollment Staff returns the form within one business day to the ICWA Coordinator informing the ICWA Coordinator as to the disposition of the child in question.
- C. If the child is a member of Pueblo of Isleta, then the ICWA Coordinator notifies the state or appropriate agency as to whether or not the Pueblo of Isleta will be assuming jurisdiction over the child.
- D. If the child is not a member of Pueblo of Isleta, then the Enrollment Staff will review the evidence presented by the ICWA Coordinator and make a preliminary determination as to whether or not the child qualifies for membership.
- E. If the child is eligible, the Enrollment Staff will notify the ICWA Coordinator who in turn notifies the state or appropriate agency as to whether or not the Pueblo of Isleta will be assuming jurisdiction over the child.
- F. If the child is not eligible, then the Enrollment Staff notifies the ICWA Coordinator who then forwards a certified letter to the Social Service agency informing them that the child is not eligible under the Indian Child Welfare ACT and the Pueblo of Isleta will not take jurisdiction over that case.
- G. If the Pueblo of Isleta takes jurisdiction of an ICWA case, then the ICWA Coordinator notifies the Tribal Court. The Tribal Court schedules a hearing for the ICWA case and works with the ICWA Coordinator to place the child in a foster home under ICWA guidelines.

Section 32

Data Backups

- A. All membership data will be automatically backed up on a daily basis by the Management Information Systems department. All Management Information Systems employees with access to the membership data are required to sign a confidentiality agreement.

Section 33

Signature Authority

The following process for signatures shall be utilized by the Pueblo of Isleta:

- A. The Tribal Enrollment Committee Chairperson and Enrollment Director shall sign letters to inform an individual of a scheduled Tribal Enrollment Committee hearing and letters to inform an individual of the result of a disenrollment.
- B. The Enrollment Director shall sign letters to inform an individual of an incomplete application.
- C. The Tribal Enrollment Committee Chairperson and its Secretary shall sign resolutions of the Tribal Enrollment Committee.
- D. The Enrollment Director shall sign correspondences to other Pueblo of Isleta departments and programs. Such correspondences shall go through the Governor for signature before submittal. The Governor shall sign all correspondence to outside agencies, governments and entities that do not involve Tribal Enrollment Committee actions. Governor shall also sign Tribal Membership Identification cards.
- E. The Tribal Enrollment Committee Chairperson and Enrollment Director shall sign the audit findings.
- F. The Governor, Tribal Council Secretary and the Enrollment Director shall sign enrollment verification letters and 4432 Forms requested by outside agencies, governments and entities.

Section 34

Enrolling Applicants with Registered Descendant Numbers

- A. Applicants with a Descendant number issued by the Pueblo of Isleta Census/Tribal Enrollment Department may file a Descendant Application for Tribal Membership in lieu of a full application.
- B. The Descendant Application for Tribal Membership shall require the Applicant to provide his or her Descendant number, name(s), address, telephone number and a notarized signature. The Applicant will not be required to submit additional

paperwork at this stage, but the Applicant may provide information that he or she believes may be useful or missing from the Applicant's Descendant file.

- C. Upon receipt of a completed Descendant Application for Tribal Membership, Enrollment staff shall pull the Applicant's Descendant file and review the information contained in the file. If the Descendant's file does not include all the documents required by the Enrollment Ordinance, the Enrollment staff shall provide the Applicant with a list of the absent documents.
- D. Once the Applicant's file is complete and if necessary, Enrollment Staff shall perform the dual enrollment verification as described in Section 16, above.
 - 1. If the time needed to process the application exceeds the thirty (30) working day time limit in Section 7 of the Ordinance solely because another tribe has not responded to the dual enrollment verification, the thirty (30) days shall be extended to accommodate the delay. During the Priority Period described in Section 8 of the Tribal Enrollment Ordinance, the processing time is extended to sixty (60) days.
 - 2. If the Applicant is found to be enrolled with another tribe inconsistent with Sections 2(A) of the Enrollment Ordinance, the Applicant shall not be eligible for inclusion in the Priority Period described in Section 8 of the Ordinance. The Priority Period applies for applications filed on or before January 31, 2017.
- E. The Tribal Enrollment Committee will not review files that contain a prior Tribal Council resolution, a Tribal Enrollment Committee resolution or another similar document approving the Applicant for inclusion on the Registered Descendant list. Tribal Council will review and approve resolutions certifying these Applicants as Isleta Pueblo Tribal Members. The Census/Tribal Enrollment Director shall issue an I number upon approval of the Certificate of Tribal Membership Resolution by the Tribal Council.

Section 35

Certification of Enactment

At a duly called Council meeting held on the 12th of July, 2007, these Tribal Enrollment Policies and Procedures were adopted by the Tribal Council.

At a duly called Tribal Council meeting held on the 29th day of April 2008, these Policies and Procedures were amended (amendments incorporated herein) and adopted by the Tribal Council. Motion carried with 11 voting in favor, 0 opposing and 0 abstaining.

At a duly called Tribal Council meeting held on the 21st day of January 2010, these Policies and Procedures were amended (amendments incorporated herein) and adopted by the Tribal Council. Motion carried with 9 voting in favor, 0 opposing and 0 abstaining.

At a duly called Tribal Council meeting held on the 28th day of April 2011, these Policies and Procedures were amended (amendments incorporated herein) and adopted by the Tribal Council. Motion carried with 8 voting in favor, 0 opposing and 0 abstaining.

At a duly called Tribal Council meeting held on the 20th day of June 2016, these Policies and Procedures were amended (amendments incorporated herein) and adopted by the Tribal Council by a vote of 5 voting in favor, 1 opposing and 0 abstaining, a quorum being present, by Resolution No. 2016 - 079.