

**RINCON BAND OF LUISEÑO INDIANS
RINCON INDIAN RESERVATION, CALIFORNIA**



**RINCON ENROLLMENT ADMINISTRATIVE POLICY
RINCON TRIBAL CODE § 2.1000**

Adopted on September 27, 2011
Amended on December 7, 2018

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Preamble

Pursuant to Section 6(d) of the Articles of Association, the Business Committee on October 11, 1970 enacted Ordinance No. 3 to establish enrollment regulations and procedures to supplement those provided in 25 CFR Part 46, which was approved on December 19, 1970 by the General Membership. Ordinance No. 3 established the Enrollment Committee, consisting of three members and two alternates elected by the General Membership, to assist the Business Committee to carry out the enrollment functions of the Band.

To further assist the Enrollment Committee in carrying out its enrollment duties, this Enrollment Administrative Policy (Policy) was adopted by the Business Committee and became effective on September 27, 2011 by Resolution No. 2011-50. The Business Committee approved the following amendments to the Policy on December 7, 2018. This Policy is the official Administrative Enrollment Policy of the Rincon Band of Luiseño Indians ("Band") and supersedes all previous enrollment policies and procedures used by the Band. This Policy shall be reviewed periodically to ensure compliance with Band and federal law and regulations.

1. General Provisions

1.1 Purpose

This Policy sets forth requirements for the Band's Enrollment Committee and for the treatment of applicants seeking enrollment with the Band, individuals requesting blood degree corrections, and Band members facing re-evaluation of their enrollment applications or dis-enrollment. The purpose of this Policy is to establish thorough, fair, and just enrollment procedures and processes that are consistent with the Band's Ordinance No. 3, adopted on December 19, 1971, and amendments thereto ("Enrollment Ordinance").

1.2 Interpretation

If any provision of this Policy conflicts with the Enrollment Ordinance, the Enrollment Ordinance shall govern.

1.3 Modification

Upon majority vote of the Enrollment Committee and recommendation to the Business Committee, this Policy may be modified by the Business Committee, in a manner consistent with the Enrollment Ordinance.

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1.4 Definitions

- a. **“Band”** means the Rincon Band of Luiseño Indians.
- b. **“Base Roll”** means the Base Roll as defined in the Band’s Articles of Association as amended on November 19, 2016 and shall be used for all official enrollment purposes.
- c. **“BIA”** means the Bureau of Indian Affairs.
- d. **“Business Committee”** is the five (5) member committee established under Sections 3 and 4 of the Rincon Band's Articles of Association.
- e. **“Census Roll”** means the Census Roll as defined in the Band’s Articles of Association.
- f. **“Clear and Convincing Evidence”** is a higher level of proof than “preponderance of the evidence”. Evidence presented must prove that a particular fact is substantially more likely than not to be true or substantially more probable to be true than not and the Enrollment Committee must have a firm belief or conviction in its factuality.
- g. **“Day”** as used in this Policy shall mean business day, and not include weekends or holidays.
- h. **“Dis-enrollment”** means the official action taken by the Enrollment Committee and submitted to the BIA by Business Committee Resolution that removes an individual's name from the Base Roll.
- i. **“Enrollment Committee”** means the committee defined under Section 1(f) of the Enrollment Ordinance.
- j. **“Enrollment Coordinator”** means the staff person assigned administrative duties supporting the membership and Enrollment Committee as outlined in the Rincon Enrollment Policy. This staff person shall be hired through the Rincon Human Resource Department and will not be a voting member on the Enrollment Committee. The Enrollment Coordinator shall be an employee of the Band and report to the Tribal Administrator or his/her designee and the Enrollment Committee.

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- k. **“General Membership”** means all persons on the Membership Roll. A vote of the Membership shall mean only those members who are 21 years of age or older.
- l. **“Immediate Family”** means grandparents, parent, children, siblings, aunt, uncle, first cousins and spouses.
- m. **“Indian Blood”** means Indian Blood as defined in Section 1. (h) of Enrollment Ordinance No. 3
- n. **“Membership Roll”** means the current Membership Roll as supplemented and certified by the Enrollment Committee and approved by the BIA.
- o. **“Re-evaluation”** means the reviewing of a Band member’s enrollment application under the process set forth under Section 6 of the Band’s Enrollment Ordinance.
- p. **“Relinquishment”** means that a Band member voluntarily and officially gives up his/her right, or that of his/her child's, to membership in the Rincon Band. It is an action that can only be taken by the individual, not by the Band.
- q. **“Secretary”** means the Enrollment Committee Secretary with the second highest number of votes pursuant to Section 2 of the Band’s Enrollment Ordinance.
- r. **“Supporting Documents”** shall include but are not limited to: certificate of live birth; marriage certificate, certificate of death; baptism records; adoption decrees; probate records; mortuary records; obituary notices; historical records; genetic blood testing; DNA test results from the lab; official censuses of the United States government (“Official U.S. Census”); “Certificate/Statement of Degree of Indian Blood” from the BIA, other official correspondence from the BIA; or official Band correspondence, such as that being on letterhead containing a Tribal seal that documents the degree of Indian blood of the Band member, or the ancestor of the Band member from which the blood is being counted.

2. **Enrollment Committee**

2.1 **Enrollment Committee Eligibility**

Pursuant to the Rincon Band of Luiseño Indians, Articles of Association and Enrollment Ordinance, an Enrollment Committee shall carry out the Band's enrollment functions. The Enrollment Committee shall consist of three (3) members (the "Enrollment Committee") and two (2) alternates. The members of the Enrollment Committee shall be twenty-one (21) years of age or over and on the Official Roll of the Rincon Band of Luiseño Indians.

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2.2 Election and Terms of Enrollment Committee Members

- a. The General Membership shall elect the Enrollment Committee and the two (2) alternates. The person receiving the highest number of votes shall be the Chairman, the person receiving the next highest number of votes shall be the Secretary and the person with the third highest votes shall be the member at large. Persons receiving the fourth and fifth highest number of votes shall serve as the two (2) alternates.
- b. Following the election of a new Enrollment Committee member, the member will complete orientation, which includes training in Robert's Rules of Order, the Enrollment Ordinance, this Policy and the use of any software, and sign a Confidentiality Agreement (Attachment A) that shall remain in effect after the Enrollment Committee member leaves his/her position.
- c. The three (3) elected members of the Enrollment Committee and the two (2) alternates shall each serve for a period of two (2) years.

2.3 Resignation

Any Enrollment Committee member wishing to resign from office shall submit, in writing, his or her resignation to the Enrollment Committee with a copy to the Business Committee.

2.4 Removal

Any Band member or an Enrollment Committee member may submit a written request to the Business Committee requesting that the Business Committee call for a vote of the General Membership to remove an Enrollment Committee member for "cause" pursuant to the special meeting provision of the Articles of Association. "Cause" may include but is not limited to:

- a. Gross misconduct;
- b. Neglect of duty;
- c. Unable to carry out his/her duties due to a disability, illness or injury.

2.5 Vacancies

Any vacancy on the Enrollment Committee shall be filled by placing the Alternate with the highest number of votes into the Enrollment Committee's vacant position and he/she will serve for the remainder of the vacated term. If the Committee member vacating his/her position is an officer, the remaining officers will be sequentially moved in order to replace the vacated officer's position, For example, if the Chairperson vacates his/her position,

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the Secretary becomes the Chairperson, the Member-at-Large would become the Secretary and the Alternate with the highest number of votes would assume the Member-at-Large position.

3. Enrollment Committee Meetings

3.1 Enrollment Committee Meetings

- a. The Enrollment Committee shall conduct at least four (4) quarterly meetings each year to review and act on enrollment applications and other enrollment business. Enrollment Committee meetings shall be held on the first business day of each quarter and on consecutive days as needed to complete the processing of the current quarter's applications.
- b. The Chairperson shall be responsible for providing all Enrollment Committee members with written notice (Attachment B) of each regular Enrollment Committee meeting at least 24-hour notice prior to the meeting unless all Enrollment Committee members, including alternates, were present at a previous Enrollment Committee meeting and agreed upon the date of the next meeting.
- c. The Chairperson shall be responsible for preparing written Enrollment Committee meeting agendas (Attachment C), to include all matters of business to be addressed at each meeting. The Chairperson shall distribute an agenda to each Enrollment Committee member at or before each Enrollment Committee meeting.
- d. Enrollment Committee meetings shall be conducted by the Chairman of the Enrollment Committee in accordance with Robert's Rules of Order. A quorum of three (3) of the Enrollment Committee members is required to conduct the business of the Enrollment Committee. Both Alternates shall attend all quarterly meetings. The Chairperson will have an equal vote on all enrollment matters.
- e. The Enrollment Committee may hold special meetings to conduct other enrollment business as needed. The location date and time of the special meeting will be determined by the Enrollment Committee, with 24-hour notice prior to the meeting unless all Enrollment Committee members, including alternates, were present at a previous Enrollment Committee meeting and agreed upon the date of the next meeting.

3.2 Meeting Minutes

The minutes of each Enrollment Committee meeting (Attachment D) shall be prepared by the Secretary and approved by a majority of the Enrollment Committee.

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4. Enrollment Committee Duties

The Enrollment Committee is responsible for:

- a. Maintaining the confidentiality of all enrollment information and documents.
- b. Using enrollment information and data for official use only. Enrollment Committee members are specifically prohibited from utilizing that information for personal benefit or for political purposes.
- c. Maintaining and updating the Membership Roll by adding names of those who have been determined eligible for membership by separate Resolutions passed by the Enrollment Committee and the Business Committee and by striking out but not removing the names of deceased and relinquished members.
- d. Maintaining complete, updated, accurate and safeguarded files and electronic records of each Band member and all other enrollment-related documents for enrollment purposes.
- e. Processing all submitted enrollment applications in a fair, equitable, confidential and expeditious manner.
- f. The Enrollment Chairperson shall give written authorization to the Enrollment Coordinator to provide a copy of a Band member's enrollment records to the Band member within five (5) days of a written request.
- g. The Enrollment Chairperson shall give written authorization to the Enrollment Coordinator to respond to inquiries from other Tribes, Bands, state courts, and other official government bodies, including but not limited to the BIA, within five (5) days of a request.
- h. Evaluating and voting on the eligibility or ineligibility of completed enrollment applications, including re-evaluation of enrollment applications.
- i. Preparing and submitting a Resolution passed by the Enrollment Committee to the Business Committee and requesting the Business Committee take action on enrollment matters needing authorization pursuant to Section 9(c) of the Enrollment Ordinance.
- j. Providing all applicable documentation to the BIA for issuance of a Supplemental Roll.

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5. Eligibility for Enrollment

Eligibility for enrollment shall be in accordance with the applicable provisions of the Articles of Association, the Enrollment Ordinance and any valid amendments thereof.

6. Application Process

6.1 Enrollment Application Forms

- a. Enrollment application forms will be posted on the Rincon Band's website or provided to persons upon request by the Enrollment Coordinator. Such requests may be made verbally, in writing, via facsimile, electronically or in person.
- b. Upon receipt of a request for an enrollment application, the Enrollment Coordinator shall:
 1. Provide the applicant with the following:
 - A. A "Checklist", that must be completed and signed by the applicant signifying that all necessary documents and information are attached to the application, instructions for completing and filing an enrollment application (Attachment E);
 - B. An enrollment application form (Attachment E); and
 - C. A family tree form (Attachment F).

6.2 Review of Application for Completeness

- a. The Enrollment Coordinator shall review an application for completeness by determining whether:
 1. The application is signed and all items on the Checklist are checked;
 2. All information is filled in on the enrollment application;
 3. All witness and applicant signatures have been affixed to the enrollment application;
 4. The family tree form is included and completed in its entirety;

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5. All required documentation has been provided with application; DNA testing, if required, and if so, whether DNA testing results has been submitted directly from the testing lab or company; and
 6. Documents provided are original and/or certified copies.
- b. If an Enrollment Application is determined to be **incomplete**, the Enrollment Coordinator shall send the applicant an incomplete letter, by Certified Mail/Return Receipt Requested (Attachment G).
1. The letter shall set forth the information and/or documentation that are missing from the application and that the application is rejected and no further action will be taken unless and until the application is complete.
 2. Enclosed with the letter will be the original enrollment application, family tree form, and all documentation initially submitted by the applicant.
 3. After providing the applicant with the incomplete letter, the Enrollment Coordinator shall:
 - A. Enter applicable information on the Activity Log stating the application was incomplete and returned;
 - B. Retain copies of the incomplete letter and the documents being returned.
- c. If the application is determined to be **complete**, the application will be stamped with the date and time received and:
1. Enter the date filed with Enrollment Office on the enrollment application in the "For Enrollment Committee Use Only" section. Enter applicable information and action taken on the application on the Activity Log.
 2. Set up a file for the applicant per Section 6.3.
 3. Send a letter to applicant, *Certified Mail/Return Receipt Requested*, confirming receipt of the application and the date received (Attachment H).
 4. Enter the date the applicant was notified on the enrollment application in the "For Enrollment Committee Use Only" section.

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5. Retain copies of all letters and other correspondence in the file.

6.3 File Set Up and Maintenance

The Enrollment Coordinator shall set up a file for each completed applicant for enrollment, as follows:

- a. The file label shall list the applicant's last, (maiden), first and middle name date of birth and an assigned Control Number.
- b. The file shall include:
 1. Internal Enrollment Checklist (Attachment I);
 2. Any name and/or address change notification (Attachment J);
 3. An Activity Log which includes and documents copies of all outgoing and original incoming correspondence and actions taken on the application;
 4. Application Control Number; and
 5. Retained copies of the Enrollment Application and "Supporting Documents" as defined under Section 1.4(d).

6.4 Enrollment Committee Processing of Applications

- a. The Enrollment Committee shall process such applications in the order in which they were received.
- b. Should the enrollment application involve an Immediate Family member of an Enrollment Committee member, he or she shall recuse himself or herself from the enrollment application process.
- c. The information submitted by the applicant, including family history and all documentation and other tribal responses, will be carefully and thoroughly reviewed by the Enrollment Committee for the purpose of making a preliminary determination on eligibility.
- d. After its preliminary review and determination, the Enrollment Committee shall direct the Enrollment Coordinator to immediately forward a copy of the complete enrollment application to the BIA along with the Committee's preliminary determination on eligibility. The Coordinator shall request that the BIA review their records and provide any additional data refuting or substantiating, the

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Committee's preliminary determination (Attachment K) and send a Notice of Preliminary Findings on Eligibility (Attachment L) to the applicant.

- e. Once the BIA has responded to the Enrollment Coordinator's request, the completed application, with BIA's response will be reviewed and the Enrollment Committee shall make its final determination whether to approve or disapprove enrollment, based on clear and convincing evidence. The decision will be made by majority vote of the Enrollment Committee.

6.5 Applicants Determined to be Ineligible

When, by a majority vote of the Enrollment Committee, an applicant is found to be ineligible for Band membership, the following steps are to be completed:

- a. The Enrollment Committee shall enter the "Final Decision" date and circle "Ineligible" and "Disapproved" on the Enrollment Application in the "For Enrollment Committee Use Only" section.
- b. The Enrollment Committee shall enter applicable information on file's Activity Log:
- c. The Enrollment Committee shall mail a notification letter of ineligibility to the applicant within ten (10) days of the decision together with a copy of the same to the BIA. (Attachment M) The written decision letter sent to the applicant must be sent via Certified Mail/Return Receipt Requested and:
 - 1. Outline the reason(s) for the decision;
 - 2. Set forth the applicant's appeal rights as provided for under the Enrollment Ordinance;
 - 3. Notify the applicant that he or she may only reapply upon the production of new and substantial documentation and evidence that was not filed with his or her initial application;
 - 4. Include a copy of 25 C.F.R. Part 62; and
 - 5. A copy of the notice of ineligibility letter sent to the BIA.
- d. The Enrollment Committee shall enter the "Applicant Notified" date on the enrollment application in the "For Enrollment Committee Use Only" section.

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- e. The Enrollment Committee shall send a copy of notification letter of ineligibility to the BIA.
- f. The Enrollment Committee shall retain a copy of the notification letter of ineligibility in the applicant's file.

6.6 Applicants Determined to be Eligible

When, by a majority vote of the Enrollment Committee, an applicant is found to be eligible for Band membership, the following steps are to be completed:

- a. The Enrollment Committee' shall provide the applicant with a written eligibility decision via Certified Mail/Return Receipt Requested. The letter of eligibility shall inform the applicant of the next steps in the enrollment process. (Attachment N)
- b. The Enrollment Committee shall enter the "Applicant Notified" date on the enrollment application in the "For Enrollment Committee Use Only" section.
- c. The Enrollment Committee shall submit written notice, in a form to be determined by the Enrollment Committee (letter, resolution, certificate) to the Business Committee with a draft BIA notification of the member's eligibility and all of the completed information in the section "For Enrollment Committee Use Only" (i.e., the "Final Decision" date, and circling of "eligible" and "approved"). (Attachment O) The Enrollment Committee notification shall request the Business Committee prepare a Resolution confirming the names of the person determined to be eligible for membership as provided for in the Enrollment Committee written notice.
- d. Enter applicable information on the file's Activity Log including the date notification was submitted to the Business Committee and copies of documents that were included with the notice.
- e. The Enrollment Chairperson shall send a notification letter to the BIA, along with copies of both the Enrollment Committee's written notice to the Business Committee's and the Business Committee Resolution, requesting that each new member be added to the Band's Supplemental Roll (Attachment P).

6.7 Processing of New Members

Upon execution of the Resolution from the Business Committee, the Enrollment Coordinator shall:

- a. Issue a Band enrollment identification to each newly enrolled Band member.

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- b. Send a notification letter to the applicant via certified Mail/Return Receipt Requested (Attachment Q). The letter shall:
 - 1. Welcome the new member to the Band;
 - 2. Provide the new Band member with his or her enrollment number and enrollment card; and
 - 3. Invite the new Band member to be introduced in person or by proxy at the next available regularly scheduled meeting of the General Membership.
- c. The Enrollment Coordinator shall enter the "Applicant Notified" date on the Enrollment Application "For Enrollment Committee Use Only".

7. Maintaining Current Membership Roll

The Enrollment Committee shall keep the Membership Roll current by adding names of those who have been found to be eligible for membership, striking but not removing the names of persons who have relinquished their membership, been dis-enrolled, and/or are deceased upon receipt of a death certificate or other evidence of death.

7.1 Deaths

- a. When receipt of a death certificate or other notification of a Band member's death is received by the Enrollment Committee from a reliable source, including a family member, the Tribal Secretary or the Finance Department, the following steps are to be completed:
 - 1. Update the Log in the Deceased Members book;
 - 2. Retain copies of the evidence of death in the member's file;
 - 3. Close the Band member's file; and
 - 4. Update the official voting roster, senior member's roster, minor children's roster and/or deceased member's list, as applicable.
- b. Required evidence of death, after allowing the family grieving time, may include:
 - 1. Death certificate;
 - 2. Newspaper obituary;

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3. Social Security Death Index; or
4. Memorial service documents, e.g., prayer card.

7.2 Voluntary Relinquishment

- a. To relinquish membership in the Band, a member must submit a signed, notarized letter stating that the individual is voluntarily relinquishing his/her membership with the Band. Such letter shall state the member's full name, date of birth and membership number.
- b. When notification of voluntary relinquishment is received by the Enrollment Committee directly from a Band member the following steps are to be completed:
 1. Update the log in the Relinquished Members' book;
 2. Retain a copy of voluntary relinquishment letter in the Band member's file;
 3. Close the Band member's file; and
 4. Update the official voting roster, senior member's roster, and/or minor children's roster, as applicable.

7.3 Updating Names and Mailing Addresses

- a. Immediately upon receipt of a change of name and/or mailing address notice from a Band member (Attachment J) or the Finance Department, the Enrollment Coordinator shall:
 1. Notify the Election Committee Chairperson.
 2. Update the Membership Roll at the next regular meeting of the Enrollment Committee;
 3. Notify the Finance Department (unless the information was obtained from the Finance Department);
 4. Update the official voting roster, senior member's roster, and/or minor children's roster, as applicable; and

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5. Retain the change of name and/or mailing address notification in the Band member's file.

7.4 Process for Maintaining Current Membership Roll

- a. The adding of new members to the Membership Roll shall occur at the time he or she is approved for membership and pursuant to the process set forth under Section 6.7.
- b. The striking of names from the Membership Roll due to disenrollment shall occur at the time the member is determined to be ineligible for membership pursuant to the process set forth under Section 8.2.
- c. The striking of a member from the Membership Roll due to death and relinquishment shall occur on or about December 31 of each year, during the Enrollment Committee's annual review to determine whether the Membership Roll is current and accurate as of that date.
 1. The Enrollment Committee shall submit to the Business Committee written notice containing the names of deceased members and members who have relinquished their membership along with supporting documentation; request a Resolution approving the striking of the names of deceased and relinquished members and approving the updated Membership Roll at its next regularly scheduled meeting.
 2. Upon receipt of the Business Committee Resolution, the Enrollment Chairperson shall submit the Resolution, the Enrollment Committee's written notification submitted to the Business Committee, and approved Membership Roll to the Southern California Agency for the BIA for its certification and approval (Attachment R).
- d. The Enrollment Committee will use the updated Membership Roll to ensure that Band members' names and addresses are correct and updated after consultation with the Band's Finance Office.

8. Re-Evaluation of Applicants' and Members' Enrollment Applicants

8.1 Re-Evaluation of Current Member's Enrollment Applications

When presented with creditable documentation that a Band member provided erroneous information on his or her enrollment application which would have made him or her ineligible, the Enrollment Committee will re-evaluate the member's application as provided under Section 6.4 of this Policy.

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8.2 Determination of Ineligibility

- a. If after re-evaluation of a member's application, supporting documents and other relevant documentation and evidence reviewed by the Enrollment Committee, it is determined that the member is ineligible for membership, the member will be notified pursuant to the provisions under Section 6.5 and his or her right of appeal to the BIA.
- b. The Enrollment Committee shall submit written notice (in a form determined by the Committee) to the Business Committee with a draft BIA notification of the member's ineligibility and all supporting documentation. The Enrollment Committee notification shall also request the Business Committee prepare a Resolution confirming the name of the person determined to be ineligible for membership.
- c. The Enrollment Coordinator shall enter all applicable information on the file's Activity Log including the date notification was submitted to the Business Committee and copies of documents that were included with the notice.
- d. The Enrollment Chairperson shall send a notification letter to the BIA, with a copy of both the Enrollment Committee's written notice to the Business Committee and the Business Committee Resolution, requesting that the member's name be struck from the Band's Supplemental Roll.

8.3 Re-Evaluation of Applicant's Denial of Membership by Enrollment Committee Decision

When presented with credible documentation that demonstrates that an applicant has been found ineligible for membership because the Enrollment Committee that evaluated his or her application were negligent in their evaluation (oversight, misinterpretation of documentation, etc.), the application will be re-evaluated under the procedures set forth under Section 6.4 of this Policy.

[ATTACHMENTS ON FOLLOWING PAGE]

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ATTACHMENT A

CONFIDENTIALITY AGREEMENT

This is to certify that I, _____, a member of the Enrollment Committee of the Rincon Band of Luiseño Indians, understand that any all enrollment information (written, verbal or other form) and documents obtained during the performance of my duties must be held in the strictest confidence. This includes all information about applicants for enrollment, Band members, their families, and their family ties, as well as any other information otherwise marked or known to be confidential.

I understand that enrollment information and data may be used for official use only, and that I am prohibited from utilizing that information for personal benefit or for political purposes.

I understand that my duty to maintain the confidentiality of information gained while I am a member of the Enrollment Committee remains in effect after I leave my position.

I understand that any unauthorized release or carelessness in the handling of this confidential information is considered a breach of the duty to maintain confidentiality. I further understand that any breach of the duty to maintain confidentiality could be grounds for immediate dismissal and/or possible liability in any legal action arising from such breach. If I am found to have violated this Confidentiality Agreement, I understand that I may be banned for life from sitting on any other Band committee or holding any elected office.

Signature of Enrollment Committee Member

Date

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ATTACHMENT B

SAMPLE ENROLLMENT COMMITTEE MEETING NOTICE

Date:

To: Enrollment Committee

From: [Name], Enrollment Committee Secretary/Second Highest Votes Member

Re: Enrollment Committee Meeting

Please be informed that the next regular Enrollment Committee will be meeting [DAY OF THE WEEK AND DATE], at 5:00PM, at [insert location and address]. The following tentative agenda will be discussed:

1. Call to order **and** roll call - Enrollment Committee Chair/Member with highest votes
2. Approval of minutes and agenda - Enrollment Committee Chair
3. Announcements - Enrollment Committee Chair
4. Review of correspondence Enrollment Committee Secretary
5. Review of old business - Enrollment Committee Chair
6. Review of new enrollment applications [25 TOTAL] - Enrollment Committee Chair
 - a. [Applicant Name #1]
 - b. [Applicant Name #2]
 - c. [Applicant Name #3]
7. Review of [Dis-enrollment] [Re-evaluation] [Blood Degree Correction] [Other] Enrollment Committee Chair
8. Next meeting and adjourn

For further details, contact: [Name], Enrollment Committee Secretary, [phone], [email].

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ATTACHMENT C

SAMPLE ENROLLMENT COMMITTEE MEETING AGENDA

**ENROLLMENT COMMITTEE MEETING AGENDA
[DATE AND TIME]
[insert location and address]**

1. Call to order and roll call - Enrollment Committee Chair
2. Approval of minutes and agenda - Enrollment Committee Chair
3. Announcements - Enrollment Committee Chair
4. Review of correspondence Enrollment Committee Secretary
5. Review of old business - Enrollment Committee Chair
6. Review of new enrollment applications - Enrollment Committee Chair
 - a. [Applicant Name #1]
 - b. [Applicant Name #2]
 - c. [Applicant Name #3]
7. Review of [Dis-enrollment] [Re-evaluation] [Blood Degree Correction] [Other] - Enrollment Committee Chair
8. Next meeting and adjourn

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ATTACHMENT D

SAMPLE ENROLLMENT COMMITTEE MEETING MINUTES

**ENROLLMENT COMMITTEE MEETING MINUTES
[DATE]**

[insert location and address]

Call to Order and Roll Call: [Name] (Chair) called the meeting to order at[TIME]. Attendees Present: [Name] (Chair), [Name] (Vice Chair), [Name] (Secretary), [Name] (Member). Enrollment Committee Members Absent: [Name] (Member), excused. A quorum was established.

Approval of Minutes and Agenda:

1. Motion: To approve Minutes from the [DATE] Enrollment Committee meeting. Vote: Unanimous approval. Resolved: The minutes of the [DATE] Enrollment Committee meeting are approved and entered into the Committee's records.
2. Agenda was distributed and approved by consensus.

Announcements:

- [Describe announcement #1 (for example, "[Name] reported that the Falmouth Institute is presenting enrollment training on October 24 in Las Vegas, NV. The cost of the training is \$880. The Enrollment Committee determined, by consensus, that the cost of the training is too high to permit Committee members to attend this year.)"]
2. [Describe announcement #2 and any discussion or action]

Review of Correspondence: [Name] gave an update on the following correspondence:

1. [Brief description of correspondence #1 and any discussion]
[Brief description of correspondence #2 and any discussion]

Old Business:

1. [Brief description of discussion (for example. "[Name] provided an update on the Enrollment Committee's article in the newsletter. He discussed proposed issues that could be addressed in the next newsletter.")]. Motion: [describe motion # 1]. Vote: Motion disapproved - one in favor, two opposed, one abstaining.
2. [Brief description of discussion]. Motion: [describe motion #2]. Vote: Motion approved unanimously. Resolved: That the Enrollment Committee [re-state motion #2]

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New Enrollment Applications:

1. Applicant Name #1: [Brief description of discussion]. Motion: To find Applicant Name #1 eligible for enrollment as [describe basis for eligibility]. Vote: Motion approved unanimously. Resolved: That the Enrollment Committee finds Applicant Name #1 eligible for enrollment as [describe basis for eligibility].
2. Applicant Name #2: [Brief description of discussion]. Motion: To find Applicant Name #2 eligible for enrollment [describe basis for eligibility]. Vote: Motion Disapproved - one in favor, two opposed, one abstaining.
3. Applicant Name #3: [Brief description of discussion]. Motion: To find Applicant Name #3 eligible for enrollment as [describe basis for eligibility]. Vote: Motion Approved three in favor, one abstaining. Resolved: That the Enrollment Committee finds Applicant Name #3 eligible for enrollment as [describe basis for eligibility].

Review of Disenrollment [Re-evaluation] [Blood Degree Correction] [Other]:

[Brief description of discussion]. Motion: To find [Name] [describe decision]. Discussion tabled until next meeting.

Meeting adjourned at [TIME] The next Enrollment Committee meeting is scheduled for [DATE, TIME AND LOCATION].

Certification of Minutes: *As duly elected Secretary of the Enrollment Committee of the Rincon Band of Luiseño Indians, I certify that to the best of my knowledge and belief that the presented minutes for the Enrollment Committee meeting held on [DATE] are accurate and offer a representation of discussions as they occurred at the meeting. Should anyone find any discrepancies or omissions or if there is a need to revise these minutes, please call me at [phone] or email me at [email].*

Sincerely,

[Name], Enrollment Committee Secretary

Date

MINUTES TRACKING:			
	<i>Date</i>	<i>By Whom</i>	<i>Notes</i>
Prepared:			
Distributed:			
Revised:			
Final Approval:			

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ATTACHMENT E:

**ENROLLMENT APPLICATION INSTRUCTIONS AND FORMS
RINCON BAND OF LUISEÑO INDIANS
ENROLLMENT APPLICATION INSTRUCTIONS**

ELIGIBILITY REQUIREMENTS

To be eligible for enrollment with the Band be a:

- A. Persons named on the original 1940 Rincon Census.
- B. Persons named on the 1940 Census Roll as revised by the Band on July 21, 1957 (232 listed members).
- C. Persons named on the Secretary of Interior's certified Base Roll of July 21, 1957 as approved on July 2, 1959 (344 listed members).
- D. All living Indians who have received allotments on the Rincon Reservation.
- E. The persons named on the Enrollment Committee Final Review of September 15, 2017 shall constitute the Band's base membership roll upon approval by the Bureau of Indian Affairs. All persons listed on this base membership roll shall retain the right to correct his or her own blood decree and enrollment status but no person listed on this base membership roll shall be subject to future disenrollment or otherwise have his or her membership revoked. Any person found ineligible for membership in the Enrollment Committee Final Review of September 15, 2017 who is determined eligible by the Department of Interior or a Federal District Court shall have his or her name added to this base membership roll and shall not be subject to further disenrollment or otherwise have his or her membership revoked.
- F. All living descendants of persons who qualify for membership under paragraphs A, B, C, D and E of this Section provided such descendants possess one-eighth (1/8) or more degree of Indian blood of the Band.

You will not be eligible for enrollment with the Band if:

1. You have received, in your own right, an allotment with some other band or tribe, and you have not relinquished such allotment at the time you are applying for membership. Ownership of an allotment or an interest in an allotment acquired through inheritance shall not, however, be a bar to enrollment; or
2. You are currently enrolled with another Tribe or Band that is federally recognized or not.

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INSTRUCTIONS FOR COMPLETING THE APPLICATION FORM

Please print legibly and use blue ink. Do not use white-out. Put a line through errors and initial.
A separate application must be completed for each member of the family seeking membership.

To apply for enrollment, please complete the following steps:

1. The Cover Checklist must be completed, signed and dated and submitted with your application
2. Complete each section of the application. Be sure to include an address or phone number at which you can be contacted, and notify the Enrollment Office if your address or phone number changes.
3. Sign and date the application and make 1 copy. Submit the original to the Enrollment Office, and retain the copy for your records.
4. An application submitted on behalf of a minor or mentally disabled person must be signed by a parent, legal guardian, or other people responsible for his/her care.
5. Attach or cause the following documents to be submitted to complete your application (***all documents listed below are required***):
 - An original of the Family Tree Form, completed to the best of your knowledge. If you are not sure which ancestor(s) is on the Base Roll, complete the family tree as accurately as possible. You may submit the Family Tree Form to the Enrollment Office for an initial review before submitting your completed application.
 - A certified copy of your birth certificate, showing the names of your natural mother and father. NOTE: The birth certificate becomes the property of the Enrollment Office and will be retained in your file as a legal document.
 - DNA testing is required for all applicants whose eligibility for enrollment is based on the blood degree of their father. The applicant shall cause the DNA test results to be sent directly to the Enrollment Committee Office. DNA testing will be at the applicant's own expense.
6. Upon receipt of a Notice of Preliminary Eligibility from the Enrollment Committee after its initial review of your application, you will be required to provide written verification of relinquishment if you are or have ever been a member of another Tribe or Band (federally recognized or not).

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INCOMPLETE APPLICATIONS OR APPLICATIONS LACKING REQUIRED DOCUMENTS WILL NOT BE PROCESSED.

NOTE: *Completing all requirements for Enrollment is the responsibility of the applicant.*

Each applicant is responsible for submitting valid, relevant, and reliable information and documentation to support his/her application and for proving they are eligible for membership, using any acceptable documentation available to them. Include any supporting documents that will help the Enrollment Committee determine your eligibility for enrollment.

7. Submit the original completed application form, along with the required documents described above, and any supporting documents' you wish to submit, to the Enrollment Office:

Rincon Band of Luiseño Indians
Enrollment Office
One Government Center Lane
Valley Center, CA 92082

If you have any questions, please contact the Enrollment Office at (760) 297-2640
Supporting documents may include but are not limited to: baptismal records; adoption decrees; death certificates; probate records; mortuary records; obituary notices; historical records; genetic blood testing; official U.S. census records; Certificate Statement of Degree of Indian Blood from the BIA, other official correspondence from the BIA; and official Band correspondence, on letterhead and/or containing a Tribal seal, which documents the degree of Indian blood of the applicant or the ancestor of the applicant that the blood is being claimed from.

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ENROLLMENT APPLICATION CHECKLIST

Each of the items on this list must be checked in order for your application to be complete. If any item is not checked your application will be rejected and returned to you with all documents.

Attach this Checklist to the cover of your application packet before mailing.

- Original signed application with all sections completed
- Original Family Tree completed (or to the best of your knowledge)
- Certified copy of your birth certificate
- Copy of Social Security Card
- Applicant's parents:
 - Certified paternity order (if applicable)
 - Certified adoption order showing applicant's biological parent(s) (if applicable)
 - Other proof of biological parent(s) (if applicable)
 - DNA test results sent directly from the testing lab or company that provides results showing applicant's biological father (if applicable)

Applicant Signature

Date

(For use by Enrollment Office Only)

Date Received by Enrollment Office: / /
(Month/ Day/ Year)

Processed by: _____
(Print Name)

Signature: _____

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APPLICATION FOR ENROLLMENT WITH THE RINCON BAND OF LUSIEÑO INDIANS

One Government Center Lane, Valley Center, CA 92082; Telephone: (760) 749-1051; email: enrollment@rincon-nsn.gov

1. Name _____ Gender Male / Female
 Last First Middle (Maiden name, if applicable) (circle one)
2. Indian, or other names by which known _____
3. Mailing Address _____
 City State Zip Code
4. Phone Number _____ E-mail, if any _____
5. Date of Birth _____ 6. Place of Birth _____ 7. Are you a U.S. Citizen? Yes / No (circle one)
8. Degree of Rincon Band Indian Blood Claimed _____ 9. Do you possess any other Indian Blood? Yes / No (circle one) If yes, please provide the name of tribe and degree of blood: Tribe _____ Degree (non-Rincon) _____
10. Do you have any other family members enrolled in the Rincon Band? Yes / No (circle one). If yes, please provide the name(s) of relations:

11. ANCESTOR ON BASE ROLL THROUGH WHOM ENROLLMENT IS CLAIMED:			
Full Name of Ancestor	Relationship to Applicant	Date and Place of Birth	Base Roll #
12. OTHER ENROLLMENT			
Are you enrolled, or have you ever been			If yes, please provide name of tribe and date of relinquishment:

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enrolled, with any other tribe? (circle one)	NO	YES	Name of Tribe: _____ Relinquishment Date: _____
Are your parents' enrolled with any other tribe? (circle one)	NO	YES	If yes, list the parent and tribe: Name of Parent: _____ Tribe: _____
Were you adopted? (circle one)	NO	YES	If yes, please provide a certified adoption order showing applicant's biological parent(s).

13. CHILDREN OF APPLICANT, IF ANY: Please list the names and birth dates of the applicant's children (attach additional pages, if needed).	
CHILD'S NAME	DATE OF BIRTH

SIGNATURE OF APPLICANT: *I, the undersigned, certify that all information and documentation included with this application is true and correct. I certify that the applicant is not currently enrolled with another Indian Tribe. I hereby give permission for the Rincon Band's Enrollment Committee to verify the tribal enrollment status of the applicant.*

Signature

Date Signed

** If you are submitting an application on behalf of a minor, mentally incompetent, or any other person, please sign above, and provide all applicable documentation supporting your right to apply on their behalf, along with the following information:	
Name of person completing application:	

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Relationship to applicant:	
Address:	
City, state, zip:	
Phone number:	
Email, if any:	



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FOR ENROLLMENT COMMITTEE USE ONLY:	
Date Application Received:	
Received by: (circle one)	Mail In Person Other: _____
Received by: (name)	
Date applicant was notified of receipt of application:	
Other notice or action: (type and date)	
Final decision: (circle one)	Eligible Disapproved
Date applicant notified of final decision:	
Date Applicant notified of new member status:	
NOTES:	

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ATTACHMENT F: FAMILY TREE FORM

**RINCON BAND OF LUISEÑO INDIANS
FAMILY TREE FORM**

Full Name of Applicant: _____ Applicant's Date of Birth: _____

**Failure to provide dates of birth, middle, or maiden names may result in the application being returned as incomplete. If a family member is non-Indian, please indicate.*

The form is a family tree diagram with the following fields:

- Father's side (left):**
 - Father's full name
 - Birthdate:
 - Tribe and Blood Degree
- Mother's side (left):**
 - Mother's full name
 - Maiden Name:
 - Birthdate:
 - Tribe and Blood Degree
- Grandfather's side (middle):**
 - Grandfather's full name
 - Birthdate:
 - Tribe and Blood Degree
- Grandmother's side (middle):**
 - Grandmother's full name
 - Maiden Name:
 - Birthdate:
 - Tribe and Blood Degree
- Great Grandfather's side (right):**
 - Great Grandfather's full name
 - Birthdate:
 - Tribe and Blood Degree
- Great Grandmother's side (right):**
 - Great Grandmother's full name
 - Birthdate:
 - Tribe and Blood Degree

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ATTACHMENT G:

APPLICATION INCOMPLETE LETTER

Sent via Certified Mail / Return Receipt Requested

Date: [insert date]

To: [applicant name]

From: Enrollment Coordinator

Re: Notice the Enrollment Application is Incomplete

We have conducted an initial review of your application for enrollment with the Rincon Band of Luiseno Indians and determined that your application is incomplete. The following information and/or documentation are missing from the application:

The original enrollment application, family tree form, and all documentation that you initially submitted are enclosed. No further action will be taken on your application of future applications unless the application is submitted with all necessary information and documentation.

Please contact me at 760-297-2640 or [email address] if you have any questions about my review or the enrollment process.

Sincerely,

[insert name]

Enrollment Coordinator

Enclosure: Application materials submitted by applicant

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ATTACHMENT H:

**NOTICE TO APPLICANT CONFIRMING RECEIPT OF ENROLLMENT
APPLICATION**

Sent via Certified Mail /Return Receipt Requested

Date: [insert date]
To: [applicant name]
From: Enrollment Coordinator
Re: Acknowledgment of Receipt of Enrollment Application

This is to acknowledge receipt of your application for enrollment with the Rincon Band of Luiseno Indians. I will review your application shortly for completeness and will contact you if additional information or documents are required. If your application is determined to be complete, the Enrollment Committee will assess your eligibility for enrollment at its [DATE OF NEXT APPLICABLE COMMITTEE MEETING]

Please contact me at 760-297-2640 or [email address] if you have any questions about the enrollment process. Please also notify the Enrollment Office of any changes to your contact information.

Sincerely,

[insert name]

Enrollment Coordinator

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ATTACHMENT I: INTERNAL ENROLLMENT CHECKLIST

**RINCON BAND OF LUISEÑO INDIANS
 ENROLLMENT CHECKLIST**

Name of Applicant: _____ **Applicant's Date of Birth:** _____
Reviewed by: _____ **Date of Review:** _____

Enrollment Coordinator: Please review the enrollment application and all documentation submitted by the applicant to determine whether:

REQUIREMENT	YES	NO	NOTES
Check list is completed, signed and dated.			
Original enrollment application is completed			
Original family tree form are included, and the family tree form is completed in its entirety (to the best of applicant's knowledge).			
Applicant has submitted a certified copy of his/her birth certificate showing the names of his/her natural			
Were applicant's parents unmarried or is paternity in question? Yes No. If yes, has DNA testing lab or company submitted test results?			
Was applicant adopted? Yes No. If yes, applicant submitted required information.			
Has applicant ever been a member of another tribe or band? Yes No. If yes, applicant has submitted written verification of relinquishment from the tribe or band.			
All required documentation has been provided with application. Documents provided are original and/or certified copies. Where documents provided are copies, the documents appear to be true and exact copies of an original.			
All applicant signatures have been affixed to the enrollment application.			
Other:			

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ATTACHMENT J:

NAME AND/OR ADDRESS CHANGE NOTIFICATION FORM

PLEASE SUBMIT THIS FORM TO THE ENROLLMENT OFFICE WITHIN THIRTY (30) DAYS OF YOUR NAME OR ADDRESS CHANGE. Please type or print using blue or black ink. A copy of a driver's license, Social Security card, or vital records certificate is required for a name change.

TYPE OF CHANGE:	Name	Address	Both	EFFECTIVE DATE:
Name:				
Previous name (if applicable):				
Mailing address:				
City, state, zip:				
Previous address (if applicable):				
Phone number:				
Email, if any:				
SIGNATURE:			DATE:	

FOR ENROLLMENT COMMITTEE USE ONLY:	
Date received:	Retain notification in the Band member's file.
Distribute to:	Date distributed:
Election Committee Chairperson	
Finance Department	
Update, as applicable:	Date updated or N/A:
Official voting roster	
Senior member's roster	
Minor children's roster	
Notes:	

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ATTACHMENT K:

**LETTER TO BIA REQUESTING DATA TO REFUTE OR SUBSTANTIATE
PRELIMINARY DECISION**

[insert date]

Bureau of Indian Affairs

[insert]

Agency

[insert
address]

Re: [name of applicant]: Request for review of records / additional data relevant to
enrollment application

Dear Bureau of Indian Affairs:

Enclosed please find a copy of the application for enrollment with the Rincon Band of Luiseno Indians submitted by [insert name]. We respectfully request that you review your records and provide any additional data relevant to the application to me at:

[insert name], Enrollment Coordinator
Rincon Band of Luiseno Indians
One Government Center Lane
Valley Center, CA 92082
Fax No.: [insert]
Email: [insert]

Please respond to the request within thirty (30) days, if possible, so that the Enrollment Committee can process this application within a reasonable time. Please contact me at 760-297-2640 or [email address] if you have any questions about this request or if you require any additional information.

Sincerely,

[insert name]

Enrollment Coordinator

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ATTACHMENT L:

**NOTICE OF PRELIMINARY FINDINGS OF THE RINCON
ENROLLMENT COMMITTEE FOR ENROLLMENT APPLICATION**

[DATE]

Attached to this notice is a copy of the enrollment application file for:

Name:

Date of Birth:

Address:

Descendent of:

Rincon Roll No.:

You are hereby informed that the Enrollment Committee has submitted your application under **Ordinance No. 3, Section 5, (Action by Enrollment Committee)** to the BIA Agency office with a request for a BIA records review to refute or substantiate the Enrollment Committee's preliminary determination of eligibility for enrollment with the Rincon Band of Luiseno Indians.

The Rincon Enrollment Committee made the following preliminary determination on your application for enrollment:

Preliminarily Approved

Preliminarily Disapproved

Dated this ____ day of [MONTH], [YEAR].

[NAME], Chairman
Enrollment Committee

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ATTACHMENT M:

NOTIFICATION LETTER OF INELIGIBILITY

Sent via Certified Mail / Return Receipt Requested

Date: [insert date]
To: [applicant name]
From: **Enrollment Coordinator**
Re: **Notice of Ineligibility for Enrollment**

The Enrollment Committee has reviewed your application for enrollment with the Rincon Band of Luiseño Indians and determined that you are ineligible for enrollment. The Enrollment Committee's decision, which sets forth the basis for your ineligibility, is enclosed.

You may only reapply for enrollment upon the production of new and substantial documentation and evidence that was not filed with your initial application. You have the following appeal rights, as provided for under Section 6 of the Band's Enrollment Ordinance:

“A person whose application has been rejected shall have 30 days from receipt of the notice of rejection to file with Director [Bureau of Indian Affairs, Pacific Regional Director] an appeal from the rejection of the application, together with any supporting evidence not previously furnished.”

Please contact me at 760-297-2640 or [email address] if you have any questions about the ineligibility determination or the enrollment process.

Sincerely,

[insert name]

Enrollment Coordinator

Enclosures: Enrollment Committee Decision

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25 C.F.R. Part 62

Sec. 62.1 Definitions (As used in these regulations)

- Assistant Secretary means the Assistant Secretary of the Interior for Indian Affairs or an authorized representative acting under delegated authority.
- Bureau means the Bureau of Indian Affairs of the Department of the Interior.
- Commissioner means the Commissioner of Indian Affairs or an authorized representative acting under delegated authority.
- Department means the Department of the Interior.
- Director means the Area Director of the Bureau of Indian Affairs area office which has administrative jurisdiction over the local field office responsible for administering the affairs of a tribe, band, or group of Indians or an authorized representative acting under delegated authority.
- Secretary means the Secretary of the Interior or an authorized representative acting under delegate authority.
- Sponsor means any authorized person, including an attorney, who files an appeal on behalf of another person.
- Superintendent means the official or other designated representative of the Bureau of Indian Affairs in charge of the field office which has immediate administrative responsibility with respect to the affairs of a tribe, band, or group of Indians or an authorized representative acting under delegated authority.
- Tribal Committee means the body of a federally recognized tribal entity vested with final authority to act on enrollment matters.
- Tribal governing document means the written organizational statement governing a tribe, band or group of Indians and/or any valid document, enrollment ordinance or resolution enacted thereunder.
- Tribal member means a person who meets the requirements for enrollment in a tribal entity and has been duly enrolled.

Sec. 62.2 Purpose

- (a) The regulations in this part are to provide procedures for the filing and processing of appeals from adverse enrollment actions by Bureau officials.
- (b) The regulations in this part are not applicable and do not provide procedures for the filing of appeals from adverse enrollment actions by tribal committees, unless:
 - (1) The adverse enrollment action is incident to the preparation of a tribal roll subject to Secretarial approval; or
 - (2) An appeal to the Secretary is provided for in the tribal governing document.

Sec. 62.3 Information Collection

In accordance with the Office of Management and Budget regulations contained in 5 CFR 1320.3, approval of the information collection requirements contained in this part is not required.

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Sec. 62.4 Who May Appeal

- (a) A person who is the subject of an adverse enrollment action may file or have filed on his/her behalf an appeal. An adverse enrollment action is:
 - (1) The rejection of an application for enrollment by a Bureau official incident to the preparation of a roll for Secretarial approval;
 - (2) The removal of a name from a tribal roll by a Bureau official incident to review of the roll for Secretarial approval;
 - (3) The rejection of an application for enrollment or the disenrollment of a tribal member by a tribal committee when the tribal governing document provides for an appeal of the action to the Secretary;
 - (4) The change in degree of Indian blood by a tribal committee which affects a tribal member when the tribal governing document provides for an appeal of the action to the Secretary;
 - (5) The change in degree of Indian blood by a Bureau official which affects an individual; and
 - (6) The certification of degree of Indian blood by a Bureau official which affects an individual.
- (b) A tribal committee may file an appeal as provided for in Sec. 61.11 of this chapter.
- (c) A sponsor may file an appeal on behalf of another person who is subject to an adverse enrollment action.

Sec. 62.5 An Appeal

- (a) An appeal must be in writing and must be filed with the Bureau official designated in the notification of an adverse enrollment action, or in the absence of a designated official, with the Bureau official who issued the notification of an adverse enrollment action; or when the notification of an adverse action is made by a tribal committee with the Superintendent.
- (b) An appeal may be on behalf of more than one person. However, the name of each appellant must be listed in the appeal.
- (c) An appeal filed by mail or filed by personal delivery must be received in the office of the designated Bureau official or of the Bureau official who issued the notification of an adverse enrollment action by close of business within 30 days of the notification of an adverse enrollment action, except when the appeal is mailed from outside the United States, in which case the appeal must be received by the close of business within 60 days of the notification of an adverse enrollment action.
- (d) The appellant or sponsor shall furnish the appellant's mailing address in the appeal. Thereafter, the appellant or sponsor shall promptly notify the Bureau official with whom the appeal was filed of any change of address; otherwise the address furnished in the appeal shall be the address of record.
- (e) An appellant or sponsor may request additional time to submit supporting evidence. A period considered reasonable for such submissions may be granted by the Bureau official with whom the appeal is filed. However, no additional time will be granted for the filing of the appeal.
In all cases where an appellant is represented by a sponsor, the sponsor shall be recognized as fully controlling the appeal on behalf of the appellant. Service of any document relating to the appeal shall

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be on the sponsor and shall be considered to be service on the appellant. Where an appellant is represented by more than one sponsor, service upon one of the sponsors shall be sufficient.

Sec. 62.6 Filing of an Appeal

- (a) Except as provided in paragraph (b) of this section, a notification of an adverse enrollment action will be mailed to the address of record or the last available address and will be considered to have been made and computation of the appeal period shall begin on:
 - (1) The date of delivery indicated on the return receipt when notice of the adverse enrollment action has been sent by certified mail, return receipt requested; or
 - (2) Ten (10) days after the date of the decision letter to the individual when notice of the adverse enrollment action has not been sent by certified mail return receipt requested and the letter has not been returned by the post office; or
 - (3) The date the letter is returned by the post office as undelivered whether the notice of the adverse enrollment action has been sent by certified mail return receipt requested or by regular mail.
- (b) When notification of an adverse enrollment action is under the regulations contained in part 61 of this chapter, computation of the appeal period shall be in accordance with Sec. 61.11.
- (c) In computing the 30 or 60 day appeal period, the count begins with the day following the notification of an adverse enrollment action and continues for 30 or 60 calendar days. If the 30th or 60th day falls on a Saturday, Sunday, legal holiday, or other nonbusiness day, the appeal period will end on the first working day thereafter.

Sec. 62.7 Burden of Proof

- (a) The burden of proof is on the appellant or sponsor. The appeal should include any supporting evidence not previously furnished and may include a copy or reference to any Bureau or tribal records having a direct bearing on the action.
- (b) Criminal penalties are provided by statute for knowingly filing false or fraudulent information to an agency of the U.S. government (18 U.S.C. 1001).

Sec. 62.8 Advising the Tribal Committee

Whenever applicable, the Superintendent or Director shall notify the Tribal Committee of the receipt of the appeal and shall give the Tribal Committee the opportunity to examine the appeal and to present such evidence as it may consider pertinent to the action being appealed. The Tribal Committee shall have not to exceed 30 days from receipt of notification of the appeal in which to present in writing such statements as if may deem pertinent, supported by any tribal records which have a bearing on the case. The Director or Superintendent may grant the Tribal Committee additional time, upon request, for its review.

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Sec. 62.9 Action by the Superintendent

When an appeal is from an adverse enrollment action taken by a Superintendent or Tribal Committee, the Superintendent shall acknowledge in writing receipt of the appeal and shall forward the appeal to the Director together with any relevant information or records; the recommendations of the tribal committee, when applicable; and his/her recommendations on the appeal.

Sec. 62.10 Action by the Director

- (a) Except as provided in paragraph (c) of this section, when an appeal is from an adverse enrollment action taken by a Superintendent or Tribal Committee, the Director will consider the record as presented together with such additional information as may be considered pertinent. Any additional information relied upon shall be specifically for the Department and which shall so state in the decision. The appellant or sponsor will be notified in writing of the decision. Provided that, the Director may waive his/her authority to make a final decision and forward the appeal to the Assistant Secretary for final action.
- (b) When an appeal is from an adverse enrollment action taken by a Director, the Director shall acknowledge in writing receipt of the appeal and shall forward the appeal to the Assistant Secretary for final action together with any relevant information or records; the recommendations of the Tribal Committee, when applicable; and his/her recommendations.
- (c) The Director shall forward the appeal to the Assistant Secretary for final action together with any relevant information or records; the recommendations of the Tribal Committee, when applicable; and his/her recommendations when the adverse enrollment action which is being appealed is either:
 - (1) The change in degree of Indian blood by a tribal committee which affects a tribal member and the tribal governing document provides for an appeal of the action to the Secretary; or
 - (2) The change in degree of Indian blood by a Bureau official which affects an individual.

Sec. 62.11 Action by the Assistant Secretary

The Assistant Secretary will consider the record as presented, together with such additional information as may be considered pertinent. Any additional information relied upon shall be specifically identified in the decision. The Assistant Secretary shall make a decision on the appeal which shall be final for the Department and which shall so state in the decision. The appellant or sponsor will be notified in writing of the decision.

Sec. 62.12 Special Instructions

To facilitate the work of the Director, the Assistant Secretary may issue special instructions not inconsistent with the regulations in this part 62.

RINCON ENROLLMENT ADMINISTRATIVE POLICY
Rincon Tribal Code § 2.1000

ATTACHMENT N:

NOTICE OF ELIGIBILITY

Sent via Certified Mail / Return Receipt Requested

Date: [insert date]
To: [applicant name]
From: Enrollment Coordinator
Re: Notice of Eligibility for Enrollment

The Enrollment Committee has reviewed your application for enrollment with the Rincon Band of Luiseno Indians and determined that you are eligible for enrollment. The Enrollment Committee's decision is enclosed.

The Enrollment Committee will notify the Band's Business Committee that you have been found eligible to enroll. Following the adoption of a Business Committee Resolution approving your enrollment, the Enrollment Office will submit the Resolution to the BIA and request that you be added to the Membership Roll. We cannot issue you an Enrollment Card until we have your photograph. Please call the office for an appointment for the photo session. Once all steps and information needed for your Enrollment Card is complete we will issue you a card and a Certificate of Degree of Indian Blood.

Please contact me at 760-297-2640 or [email address] if you have any questions about the eligibility determination or the enrollment process.

Sincerely,

[insert name]

Enrollment Coordinator

RINCON ENROLLMENT ADMINISTRATIVE POLICY
Rincon Tribal Code § 2.1000

ATTACHMENT O:

The Policy provides that the Enrollment Committee must notify the Business Committee in writing of its determination regarding certain enrollment decisions. The form of the notice is in the discretion of the Enrollment Committee. Below is a sample form of a Resolution that may be used but the Enrollment Committee to provide the Business Committee notice. The Committee may use other forms of notification such as a letter, a certification or other form.

ENROLLMENT COMMITTEE RESOLUTION APPROVING ENROLLMENT

**RESOLUTION NO. _____
RINCON BAND OF LUISEÑO MISSION INDIANS OF THE RINCON RESERVATION,
CALIFORNIA
TO APPROVE THE ENROLLMENT OF [INSERT NAME(S)] WITH THE
RINCON BAND OF LUISEÑO INDIANS**

WHEREAS, the Rincon Band of Luiseño Mission Indians of the Rincon Reservation, California ("Rincon Band") is a federally recognized Indian tribe organized pursuant to the Articles of Association adopted February 14, 1960 and approved by the Commissioner of Indian Affairs on March 15, 1960, as amended; and

WHEREAS, the Rincon Business Committee ("Business Committee") is the duly elected governing body of the Rincon Band, empowered pursuant to the Articles of Association to represent the Rincon Band and act in all matters that concern the general welfare of the Rincon Band; and

WHEREAS, the Rincon Band's Enrollment Ordinance No. 3, requires the Rincon Band's Enrollment Committee to determine whether to approve or disapprove applications for enrollment based upon clear and convincing evidence; and

WHEREAS, when the Enrollment Committee has determined that an applicant is eligible for enrollment with the Rincon Band, the Business Committee is required to execute a Resolution approving enrollment; and

WHEREAS, the Enrollment Committee has determined that [insert name] is eligible for enrollment with the Rincon Band.

NOW, THEREFORE BE IT RESOLVED, that the Enrollment Committee by this Resolution approves the enrollment of [name] with the Rincon Band.

BE IT FURTHER RESOLVED, that the Enrollment Committee by this Resolution hereby requests the Business Committee approve and execute a Resolution confirming the [insert names] for enrollment and direct the Enrollment Committee to add [insert name] to the Membership Roll and issue a Rincon Band enrollment card and Certificate of Degree of Indian Blood to [name].

[Certification on following page]

RINCON ENROLLMENT ADMINISTRATIVE POLICY
Rincon Tribal Code § 2.1000

RESOLUTION NO. _____
Page 2 of 2

CERTIFICATION

We, the undersigned, as the Enrollment Committee for the Rincon Band of Luiseño Mission Indians of the Rincon Reservation, California, do hereby certify that the Rincon Enrollment Committee is composed of three (3) members of whom two (2) constituting a quorum were present at a meeting duly held on _____, 20 __, by a vote of ____ in favor, ____ against, ____ absent, and _____

RINCON ENROLLMENT ADMINISTRATIVE POLICY
Rincon Tribal Code § 2.1000

ATTACHMENT P:

**NOTIFICATION LETTER TO THE BIA REQUESTING ADDITION TO
SUPPLEMENTAL ROLL**

[insert date]

Bureau of Indian Affairs
[insert] Agency
[insert address]

Re: Request for Addition to Band's Supplemental Roll: [name of new member(s)]

Dear Bureau of Indian Affairs:

We are writing to request that you add the following new member(s): [insert name(s)] to the Supplemental Roll of the Rincon Band of Luiseño Indians. The Band's Business Committee has approved enrollment (see enclosed Business Committee Resolution(s)).

Please contact me at 760-297-2640 or [email address] if you have any questions about this request or if you require any additional information.

Sincerely,

[insert name]
Enrollment Coordinator

Enclosure: Business Committee Resolution

RINCON ENROLLMENT ADMINISTRATIVE POLICY
Rincon Tribal Code § 2.1000

ATTACHMENT Q:

NOTIFICATION LETTER TO NEW MEMBER

Sent via Certified Mail / Return Receipt Requested

Date: [insert date]
To: [applicant name]
From: Enrollment Coordinator
Re: Notice of Membership

The Business Committee has approved your eligibility for enrollment with the Rincon Band of Luiseño Indians. Congratulations—and welcome to the Rincon Band!

We are pleased to invite you to be introduced in person or by proxy at the next regularly scheduled meeting of the General Membership, to be held [insert date, time, and location]. Please contact me if you are able to attend.

Your enrollment number is: [insert number]. Enclosed please find a Band enrollment card and Certificate of Degree of Indian Blood. In the coming weeks, the Enrollment Committee will complete the process of adding you to the Membership Roll, updating rosters, notifying Band departments of your membership.

Please keep the Enrollment Office updated with any name, address, or other changes affecting your enrollment with the Band. Please also feel free to contact me at 760-297-2640 or [email address] if you have any questions about your membership in the Band.

Sincerely,

[insert name]

Enrollment Coordinator

Enclosures: Enrollment Card

RINCON ENROLLMENT ADMINISTRATIVE POLICY
Rincon Tribal Code § 2.1000

ATTACHMENT R: CERTIFICATION OF MEMBERSHIP ROLL

**RINCON BAND OF LUISEÑO INDIANS
RINCON RESERVATION, CALIFORNIA**

CERTIFICATION

WE, the undersigned duly elected officials of the **Rincon Tribal Enrollment Committee**, do hereby certify that to the best of our knowledge, based upon the information and evidence at hand, the attached SUPPLEMENTAL BASE ROLL of the RINCON BAND OF LUISEÑO INDIANS, compiled as of [MONTH, DAY, YEAR] is correct. WE, further certify that the SUPPLEMENTAL BASE ROLL was approved in accordance with the Band's Articles of Association tribally adopted and approved March 15, 1960, and amended and approved by the Pacific Regional Director on October 5, 2018, and Ordinance No. 3, tribally adopted and approved on February 18, 1971, as amended and approved by the Pacific Regional Director on October 5, 2018, consisting of [NUMBER OF PAGES] (PAGES) pages and listing the names of persons, Numbers _____ to _____.

RINCON ENROLLMENT COMMITTEE:

DATE OF APPROVAL: [MONTH, DAY, YEAR]

CHAIRPERSON, [NAME]

SECRETARY, [NAME]

MEMBER, [NAME]

ALTERNATE, [NAME]

ALTERNATE, [NAME]

Ord. No. 3, Sec. 2 – Enrollment Committee:

The Enrollment Committee shall be elected and shall consist of three (3) members of adult age and now on the official roll of the Rincon, San Luiseño Band of Mission Indians. Two other members shall be elected to act as alternates. The three persons receiving the highest number of votes shall constitute the Enrollment Committee of the Band and the persons receiving the fourth and fifth highest number of votes shall serve as alternate members of the Committee. The person receiving the highest number of votes shall be the Chairman and the person receiving the second highest number of votes shall be Secretary. This Committee shall serve for the period of two years.