

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



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

Adopted September 27, 2011

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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. If any attachment in the Appendix of this Policy conflicts with the provisions of this Policy, the provisions of this Policy shall govern.

1.3 Modification

This Policy may be modified by the Business Committee in any manner consistent with the Enrollment Ordinance.

1.4 Definitions

- (a) **“Activity Log”** means the official, chronological record maintained in each applicant’s enrollment file by the Enrollment Coordinator and Enrollment

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Committee. The Activity Log serves as the authoritative record of the processing history of each enrollment application, ensuring transparency, accountability, and a complete administrative record for review or appeal.

- (b) **“Band”** means the Rincon Band of Luiseño Indians.
- (c) **“Base Roll”** means the list of persons named on the foundational, authoritative enrollment record of membership in the Band, as defined in the Articles of Association, Amendment No. 5, and the Enrollment Ordinance, Amendment No. 2, approved by the BIA on October 5, 2018, and as certified by the Enrollment Committee on November 21, 2018, and the BIA on August 12, 2019.
- (d) **“BIA”** means the Bureau of Indian Affairs.
- (e) **“Blood Degree Decision”** means the written determination issued by the Enrollment Contractor on a Band member’s request for correction of blood degree under Section 7.4 of this Policy.
- (f) **“Business Committee”** is the five (5) member committee established under Sections 3 and 4 of the Rincon Band's Articles of Association, also referred to as “Tribal Council.”
- (g) **“Census Roll”** means the Census Roll as defined in the Band’s Articles of Association.
- (h) **“Certification of Blood Degree Correction”** means the Certification signed by the Enrollment Committee, or the Business Committee upon order of the Rincon Court of Appeals, that lists Band member names, their Band number, their assigned blood degree on the Base Roll and, if applicable, Supplemental Roll, and their corrected blood degree.
- (i) **“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.
- (j) **“Day”** as used in this Policy shall mean business day and does not include weekends or holidays.
- (k) **“Dereliction of Duty”** means the willful, negligent, or intentional failure of an Enrollment Committee member to carry out legal or policy obligations under this Policy, including abandonment of responsibilities, refusal to perform assigned

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enrollment functions, or other conduct that unreasonably delays, obstructs, or compromises the integrity of the Tribe's enrollment process.

- (l) **“Disenrollment”** 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 a Supplemental Roll.
- (m) **“DNA Lab”** means a laboratory facility for testing DNA evidence that meets American Bar Association DNA Evidence Standard section 3.1 testing laboratories standards for the collection, preservation and use of DNA evidence and makes available to the public the written material required by this standard. See, https://www.americanbar.org/groups/criminal_justice/resources/standards/dna-evidence/.
- (n) **“Enrollment Committee”** means the committee defined under Section 1(f) of the Enrollment Ordinance.
- (o) **“Enrollment Contractor”** means one or more contractors with genealogical and legal expertise selected from a pre-qualified list of professionals approved by the Tribal Council, engaged as agents of the Band, who are responsible for: (i) reviewing blood degree correction requests and Supporting Documents; and (ii) preparing written findings of fact and conclusions of law in accordance with the Clear and Convincing Evidence standard set forth in Section 7.4 of this Policy.
- (p) **“Enrollment Coordinator”** means the staff person assigned administrative duties supporting the Enrollment Committee as outlined in this 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.
- (q) **“Enrollment Ordinance”** means Enrollment Ordinance No. 3, adopted by the Business Committee, October 11, 1970, as amended.
- (r) **“General Membership”** means all persons on the Base Roll or a Supplemental Roll. A vote of the membership shall mean only those members who are 21 years of age or older.
- (s) **“Immediate Family”** means grandparents, parent, children, siblings, aunt, uncle, first cousins and spouses.
- (t) **“Indian Blood”** means Indian Blood of the Band as defined in Section 1(h) of the Enrollment Ordinance.

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- (u) **“New Documentary Evidence”** means credible evidence material to Band member requests for blood degree corrections under Section 7.4 of this Policy that has not been reviewed or relied upon in any prior enrollment determination or blood degree evaluation with respect to the Band member requestor, his or her Immediate Family or lineal ancestors. New Documentary Evidence includes, but is not limited to Supporting Documents, writings, recordings, photographs, genealogy charts and court records.
- (v) **“Recusal”** means to withdraw and remove oneself from any Enrollment Committee or Business Committee discussion, deliberation or decision that involves the person subject to recusal or members of their Immediate Family.
- (w) **“Re-evaluation”** means the reviewing of a Band member’s enrollment application under the process set forth under Section 6 of the Enrollment Ordinance.
- (x) **“Registry of Blood Degree Correction Requests”** means the official record maintained by the Enrollment Coordinator documenting all blood degree correction requests submitted under this Policy. The Registry serves as the authoritative reference for enforcing the four-year limitation on requests, preventing duplicative or overlapping claims involving the same lineal ancestor, and ensuring transparency and accountability in the administration of blood degree corrections.
- (y) **“Relinquishment”** means that a Band member voluntarily and officially gives up his/her right, or that of his/her minor child, to membership in the Rincon Band. It is an action that can only be taken by the individual, not by the Band.
- (z) **“Rincon Court of Appeals”** means that court formed on February 12, 2021, pursuant to Tribal Council Resolution 2021-09.
- (aa) **“Secretary”** means the Enrollment Committee Secretary with the second highest number of votes pursuant to Section 2 of the Enrollment Ordinance.
- (bb) **“Supplemental Roll”** means the list of persons added from time to time to the membership of the Band as certified by the Enrollment Committee and approved by the BIA.
- (cc) **“Supporting Documents”** shall include but are not limited to: certificate of live birth; marriage certificate, certificate of death; baptismal records; adoption decrees; probate records; mortuary records; obituary notices; historical records; genetic blood testing or DNA test results submitted to the Enrollment Committee directly from the DNA lab; official censuses of the United States government (“Official U.S. Census”); Certificate/Statement of Degree of Indian Blood from the BIA or other official correspondence from the BIA; relevant enrollment audit

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information and historical documents; New Documentary Evidence; or official Band correspondence, such as that being on letterhead and/or that 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.

(dd) **“Willful Misconduct”** means misconduct that is voluntary and intentional.

2. ENROLLMENT COMMITTEE

2.1 Enrollment Committee Eligibility

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

2.2 Election and Terms of Enrollment Committee Members

- (a) The General Membership shall elect the Enrollment Committee. 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, 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 Vacancies Due to Death or Resignation – Special Election

Any Enrollment Committee member wishing to resign from office shall submit a letter of resignation to the Enrollment Committee with a copy to the Business Committee. The Chairperson, Vice-Chair or a quorum, of the Business Committee shall direct the Tribal Administrator to schedule a special election to fill a vacancy created by resignation or death of an Enrollment Committee member in accordance with § 2.406(b) of the Election Ordinance.

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2.4 Vacancies Due to Removal – Special Election

- (a) Initiation of Removal Process. Any Band member, including any Business Committee or Enrollment Committee member, may submit a completed Request to Remove Committee Member Form (**Attachment B**) to the Business Committee to call for a special election under Section 2.406(b) of the Election Ordinance, to remove an Enrollment Committee member for “cause.” “Cause” may include but is not limited to:
- (1) Willful Misconduct;
 - (2) Dereliction of Duty;
 - (3) Disability, illness or injury;
 - (4) Failure to declare and recuse for a conflict of interest;
 - (5) Breach of duty of confidentiality;
 - (6) Enrollment Committee initiated re-evaluation of a Band member’s enrollment status under Section 8; and
 - (7) Violation of any Tribal Law(s) or this Policy.
- (b) Request to Remove Requirements. A completed Request to Remove under § 2.4(a) must:
- (1) Identify the Enrollment Committee member(s);
 - (2) State the grounds for “cause” with supporting facts; and
 - (3) Be signed and dated by the requestor(s).

Upon review by the Business Committee, the Request to Remove shall be sent to the Enrollment Committee member(s) to provide ten (10) days to submit a written response. If the Business Committee, upon review of the Enrollment Committee member’s written response, determines no “cause” to remove exists under § 2.4(a), the parties will be notified within ten (10) days of the decision.

- (c) Notice of Special Election for Request to Remove. If the Business Committee, upon review of the Enrollment Committee member’s written response to the Request to Remove, determines that “cause” for removal exists, the Chairperson, Vice-Chair or a quorum, of the Business Committee shall direct the Tribal Administrator to schedule a special election in accordance with § 2.406(b) of the

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Election Ordinance. The Tribal Administrator shall issue notice of special election to the Enrollment Committee member(s) at least thirty (30) days before the election date. The notice shall include:

- (1) The submitted Request to Remove Enrollment Committee Member Form and the Business Committee's statement of cause for removal;
 - (2) The special election date;
 - (3) The right of the Enrollment Committee member(s) to submit a response for inclusion in the voter packet; and
 - (4) A copy of the relevant provisions of this Policy.
- (d) Due Process for the Special Election.
- (1) The Enrollment Committee member(s) subject to the Request to Remove may submit a written response to the Business Committee no later than five (5) days after receiving notice under Section 2.5(c) of this Policy.
 - (2) The response of the Enrollment Committee member(s) shall be included in the voter packet mailed to eligible voters, along with a copy of the Request to Remove Form and statement of cause for removal.
 - (3) The Business Committee's statement of cause for removal and the written response of the Enrollment Committee member(s) shall be limited to two (2) pages on 8.5 x 11 paper, with 12-point font and 1-inch margins.

2.5 Vacancies, Conflicts of Interest & Dereliction of Duty

- (a) Filling Vacancies. Any vacancy on the Enrollment Committee caused by a conflict of interest shall be filled by advancing the Enrollment Committee members lower in seniority one position and the Alternate with the highest number of votes one position until all vacancies are filled. If the Committee member vacating a position is an officer, the remaining officers will be sequentially moved up to replace the vacated officer's position. For example, if the Chairperson vacates his/her position, 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.
- (b) Enrollment Applications. If a vacancy is created because a Committee member or Alternate has a conflict of interest involving an enrollment application, that vacancy is temporary and lasts only until the Committee votes by resolution on the application(s) pursuant to Section 6 of this Policy. Any failure or refusal to vote

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by resolution on an application constitutes a Dereliction of Duty under Section 2.4 of this Policy, unless the failure is due to an incurable conflict of interest. If conflicts of interests prevent a quorum, the Enrollment Contractor shall assume the Enrollment Committee's duties pursuant to Section 6 of this Policy. In that case, the Enrollment Committee resolution shall state:

- (1) the Committee's incurable conflicts of interest that prevent a quorum, and
- (2) the Committee's deference to the Enrollment Contractor to determine applicant eligibility.

(c) Certification of Blood Degree Corrections.

- (1) Conflicts of Interest that Prevent a Quorum. If a vacancy is created because a Committee member or Alternate has a conflict of interest involving a draft Certification of Blood Degree Correction, the vacancy is temporary and shall last only until the Enrollment Committee votes by resolution to approve execution of the draft Certification of Blood Degree Correction pursuant to Section 7.4(l) of this Policy. If conflicts of interest prevent a quorum, the Enrollment Committee resolution shall state the Committee's incurable conflicts of interest prevent a quorum and the Band member requestor shall have a right to appeal pursuant to Section 7.4(p)(1)(B).
- (2) Right to Appeal – Lack of Quorum. Within twenty-one (21) days, the Enrollment Coordinator shall send a copy of the Committee's resolution to the Band member requestor. Pursuant to Section 7.4(p), the Band member requestor may petition the Rincon Court of Appeals for an order instructing the Business Committee to vote by resolution to approve execution of the draft Certification of Blood Degree Correction (**Attachment C**), and transmit the Certification, together with the Blood Degree Decision and all Supporting Documents, to the BIA for concurrence in accordance with Section 7.4(m).
- (3) Right to Appeal – Failure or Refusal to Act. If the Enrollment Committee fails or refuses to vote by resolution to approve execution of the draft Certification of Blood Degree Correction within twenty-one (21) days of receipt from the Enrollment Contractor, as proscribed in Section 7.4(l) of this Policy, such failure or refusal constitutes Dereliction of Duty under Section 2.4(a)(2). The Band member requestor, pursuant to Section 7.4(p)(1)(C) of this Policy, may petition the Rincon Court of Appeals for an order instructing the Business Committee to vote by resolution to approve execution of the draft Certification of Blood Degree Correction (**Attachment C**), and transmit the Certification, together with the Blood

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Degree Decision and all Supporting Documents, to the BIA for concurrence in accordance with Section 7.4(m).

3. ENROLLMENT COMMITTEE MEETINGS

3.1 Enrollment Committee Meetings

- (a) Regular Quarterly Meetings. 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 and requests.
- (b) Notice of Regular Meetings. The Chairperson shall be responsible for providing all Enrollment Committee members with written notice (**Attachment D**) 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 the previous Enrollment Committee meeting and agreed upon the date of the next meeting.
- (c) Special Meetings. 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 written notice prior to the meeting unless all Enrollment Committee members, including Alternates, were present at the previous Enrollment Committee meeting and agreed upon the location, date, and time of the next meeting.
- (d) Meeting Agendas. The Chairperson shall be responsible for preparing written Enrollment Committee meeting agendas (**Attachment E**), to include all matters of business to be addressed at each meeting. The Chairperson shall distribute an agenda to each Enrollment Committee member, including Alternates, at or before each Enrollment Committee meeting.
- (e) Conduct of Meetings and Quorum. Enrollment Committee meetings shall be conducted by the Chairperson 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. No official business shall be conducted without a quorum of members that are free from conflicts of interest. A recused or conflicted member is not counted in determining a quorum. Both Alternates shall attend all meetings and remain ready to serve as Enrollment Committee members in the event of a conflict of interest that requires Recusal of a member. If a quorum cannot be established, the procedures proscribed in Sections 2.5(b) and 2.5(c) of this Policy

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shall govern and control the actions of the Enrollment Committee. Any vote that includes a conflicted Enrollment Committee member's vote shall be null and void. The Chairperson has an equal vote on all enrollment matters unless conflicted.

- (f) Conflicts of Interest and Recusal. Any Enrollment Committee member or Alternate with a conflict or perceived conflict of interest—including under the Committee Policy Ordinance, RTC § 2.606, and Section 6.4(b) of this Policy—where an enrollment application or a draft Certification of Blood Degree Correction involves themselves or an Immediate Family member is subject to mandatory Recusal. The Enrollment Committee member with a conflict of interest must disclose the conflict and shall exit the meeting room as required by Section 2.5 of this Policy. Upon Recusal, the conflicted member's seat is treated as temporarily vacant for that matter. Vacancies are filled strictly in accordance with Section 2.5 of this Policy.
- (g) Policy Violations. The following conduct by an Enrollment Committee member or Alternate constitutes Willful Misconduct and Dereliction of Duty, both of which constitute cause for removal under Section 2.4, and may result in civil liability and damages payable to the Tribe for any costs incurred to correct the violations of Tribal Law:
 - (1) Failure to declare and recuse when required, or refusal to act on an enrollment application or draft Certification of Blood Degree Correction; and
 - (2) Breach of confidentiality or unauthorized disclosure of confidential information.

3.2 Meeting Minutes

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

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.

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- (c) Maintaining and updating the membership rolls by adding names of those who have been determined eligible for membership to a Supplemental Roll 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 on the Base Roll and Supplemental Rolls.
- (d) Maintaining complete, updated, accurate and safeguarded files and electronic records of each Band member and all other enrollment-related documents for enrollment application 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, provided that no Band member named on the Base Roll shall be subject to Disenrollment or otherwise have his or her membership revoked unless the member voluntarily relinquishes membership under Section 7.2 of this Policy.
- (i) Preparing and submitting a resolution passed by the Enrollment Committee to the Business Committee to request the Business Committee take action by resolution on enrollment matters needing authorization pursuant to Sections 6.6 and 7.4 of this Policy.
- (j) Providing all applicable documentation to the BIA for issuance of a Supplemental Roll.

5. ELIGIBILITY FOR ENROLLMENT

Enrollment eligibility is based on the Articles of Association, Amendment No. 5, and the Enrollment Ordinance, Amendment No. 2, as approved by the BIA on October 5, 2018.

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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 G**);
 - (B) An enrollment application form (**Attachment H**); and
 - (C) A family tree form (**Attachment I**).

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;
 - (5) All required documentation has been provided with the application; DNA testing, if required, and if so, whether DNA testing results have 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 a deficiency notice by Certified Mail/Return Receipt Requested (**Attachment J**).

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- (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 K**).
 - (4) Enter the date the applicant was notified on the enrollment application in the “For Enrollment Committee Use Only” section.
 - (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:

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- (1) Internal Enrollment Checklist (**Attachment L**);
- (2) Any name and/or address change notification (**Attachment M**);
- (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(bb).

6.4 Enrollment Committee Processing of Applications

- (a) The Enrollment Committee shall process such applications in the order in which they were received within a reasonable period of time, some applications may take longer than others.
- (b) Should the enrollment application involve an Immediate Family member of an Enrollment Committee member, Recusal is required pursuant to Section 2.5(b) of this Policy with respect to any aspect of processing the enrollment application.
- (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 Committee’s preliminary determination (**Attachment N**) and send a Notice of Preliminary Findings on Eligibility (**Attachment O**) 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. This decision is subject to Section 2.5(b) and will be made by majority vote of the Enrollment Committee.

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6.5 Applicants Determined to be Ineligible

When, by a majority vote of the Enrollment Committee that complies with Section 2.5(b), 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 P**). 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 Documentary 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.
- (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.

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6.6 Applicants Determined to be Eligible

When, by a majority vote of the Enrollment Committee that complies with Section 2.5(b) of this Policy, 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 Q**).
- (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 notify the Business Committee by resolution attaching the BIA concurrence 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 R**). The Enrollment Committee resolution shall request the Business Committee prepare a resolution confirming the names of the person(s) determined to be eligible for membership as provided for in the Enrollment Committee resolution.
- (d) Enter applicable information on the file’s Activity Log including the date the resolution was submitted to the Business Committee and copies of documents that were included with the resolution.
- (e) The Enrollment Committee Chairperson shall send a notification letter to the BIA, along with copies of both the Enrollment Committee’s resolution to the Business Committee, the certified Supplemental Roll and the Business Committee resolution, requesting BIA certification of each new member added to the Supplemental Roll (**Attachment S**).
- (f) The Enrollment Coordinator shall send notice to update the applicant of the Business Committee’s pending request to the BIA to add the new member to the Supplemental Roll and 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 Base Roll and Supplemental Roll current by:

- (a) Adding names of those who have been found to be eligible for membership;

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- (b) Striking but not removing the names of persons who have relinquished their membership, been disenrolled, and/or are deceased, upon receipt of a death certificate or other evidence of death; and
- (c) Making corrections to the recorded blood degree of Band members, provided that any blood degree corrections are solely determined by the Blood Degree Decision of the Enrollment Contractor in accordance with the procedures in Section 7.4.

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; and
 - (3) Close the Band member's file.
- (b) Required evidence of death, after allowing the family grieving time, may include:
 - (1) Death certificate;
 - (2) Newspaper obituary;
 - (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; and

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- (3) Close the Band member's file.

7.3 Process for Maintaining Corrections to Base Roll, Supplemental Roll(s) and Certification of Blood Degree Corrections

- (a) Before December 31st of each year, the Enrollment Committee shall conduct an annual review of the rolls to make corrections to permit proper maintenance of accurate and complete membership rolls, including the adding of new members to the Supplemental Roll at the time he or she is approved for membership pursuant to Section 6.6(e).
- (b) The striking of names of members from a Supplemental Roll due to Disenrollment under Section 8.2.
- (c) The striking of names of members due to death and relinquishment from the Base Roll, Supplemental Roll and Certification of Blood Degree Correction.
 - (1) The Enrollment Committee shall submit to the Business Committee written notice of the names to be stricken but not removed from a Supplemental Roll due to Disenrollment, the names of deceased or relinquished members along with supporting documentation and request adoption of a resolution, at the next regularly scheduled Business Committee meeting, approving the names of members to be stricken and the accuracy of the annually updated rolls.
 - (2) Upon receipt of the Business Committee resolution, the Enrollment Chairperson shall submit the resolution, the Enrollment Committee's written notice submitted to the Business Committee, and the approved updated rolls to the BIA for certification and approval (**Attachment T**).
- (d) Upon receipt of BIA certification and approval of the updated rolls, the updated rolls shall be used for all official enrollment purposes and the Enrollment Committee shall send the updated rolls to the Tribal Administrator for distribution to the Finance Department and Human Resources Department.

7.4 Procedures for Blood Degree Corrections Authorized By Section 3E of the Enrollment Ordinance (Flow Chart at Attachment U)

- (a) Eligibility to Request a Correction. Subject to the limitations set forth in Section 7.4(s), Band members have the right to request correction of their own blood degree. The procedures in this Section 7.4 govern all requests for blood degree corrections. The Enrollment Coordinator shall not consider any blood degree correction request that does not comply with these procedures. Non-Band

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members are ineligible to request a blood degree correction under this Section 7.4 or any other law, rule, policy or procedure.

- (b) Effect on Enrollment Applications. The Enrollment Committee shall reject an enrollment application as incomplete under Section 6.2(b) of this Policy if the applicant requires a blood degree increase that has not been approved according to the procedures in this Section 7.4 prior to the application filing date. The Enrollment Coordinator shall notify the applicant that the application is rejected and shall record the Enrollment Committee's action according to the procedures under Section 6.2(b).
- (c) Filing Requirements and Fees. A Band member requestor must submit a written, signed and dated blood degree correction request along with a check payable to the Band in the amount of FIVE THOUSAND DOLLARS (\$5,000) as a refundable deposit/retainer. The Band member requestor shall pay a minimum of twenty-five percent (25%) of the Enrollment Contractor's total fees to review and decide the request. The Tribe shall pay up to, and not more than, THREE THOUSAND DOLLARS (\$3,000) (the "Tribal Cap"). The Band member requestor is responsible for payment of Enrollment Contractor fees in excess of the Tribal Cap. After the Enrollment Contractor issues a final decision, any balance of the deposit shall be refunded to the requestor, provided that the requestor has paid a minimum of 25% of the total fees and the Tribal Cap is not exceeded.
- (d) Processing of Blood Degree Correction Requests
 - (1) Receipt and Acknowledgment. Upon receipt of a blood degree correction request, the Enrollment Coordinator shall date stamp the request and provide written notice of receipt to the Band member requestor by U.S. Mail within a reasonable time, with electronic copies to the Enrollment Committee and the Attorney General's Office.
 - (2) File Creation. The Enrollment Coordinator shall create a physical and an electronic file for each blood degree correction request. Each file shall contain: the written request, all New Documentary Evidence and Supporting Documents submitted with the request.
 - (3) Delivery to Enrollment Contractor. The Enrollment Coordinator shall immediately deliver copies of the physical and electronic file to the Enrollment Contractor, along with relevant documentation maintained in the Enrollment Office or Attorney General's Office:
 - (A) enrollment audit information,

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- (B) historical records,
 - (C) the Base Roll, and
 - (D) any Supplemental Roll(s) in effect.
- (4) Separate File Creation and Maintenance by Enrollment Contractor. The Enrollment Contractor shall establish and maintain its own files for each blood degree correction request.
- (5) Prohibited Communications. Except as otherwise permitted in this Policy, no Band member, Enrollment Committee member or Business Committee member may initiate communications with the Enrollment Contractor regarding a blood degree correction request.
- (6) Enrollment Contractor's Status & Authority. The Enrollment Contractor is an agent of the Band, acting within the scope of delegated governmental authority and performing discretionary functions under this Policy. In that capacity, the Enrollment Contractor is cloaked with the Band's sovereign immunity from suit to the fullest extent permitted by law. On the Enrollment Contractor's initiative, he or she may review historical records and documents maintained in the Enrollment Office, and request information from the Band member requestor, the Enrollment Committee, the Business Committee or the BIA. All such information requests must be in writing and, in the Enrollment Contractor's sole opinion, relevant to review of the blood degree correction request.
- (e) Status and Accounting Updates. The Enrollment Contractor shall update the Band member requestor and Enrollment Coordinator on the status of the request and statement of account for fees every forty-five (45) days until a final decision has been made.
- (f) Initial Review. The Enrollment Contractor shall first confirm whether the Band member is eligible to request a blood degree correction pursuant to Section 7.4(s)(2). The initial review shall also include determining whether the Supporting Documents are authentic, verifiable and consist of New Documentary Evidence. The Enrollment Contractor shall reject any request not supported by New Documentary Evidence without further inquiry. The Enrollment Contractor shall send a written notice of, and the reason(s) for, rejection of the request to the Band member. The Enrollment Contractor shall send copies of the notice of rejection to the Enrollment Coordinator and Attorney General's Office. The Enrollment Contractor's decision is final and binding and not subject to review by the Enrollment Committee, Business Committee or any tribal courts.

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- (g) Scope of Review. If the Enrollment Contractor confirms submittal of New Documentary Evidence, the Enrollment Contractor may also review relevant audit files, historical records and documents maintained in the Enrollment Office or Attorney General's office and may conduct independent research to corroborate facts or to resolve conflicting information. The Enrollment Contractor may ask the requesting Band member to provide additional Supporting Documents or other information, which may also include a meeting with the Enrollment Contractor.
- (h) Evidentiary Standard. The Band member requestor has the burden of proving by Clear and Convincing Evidence that the correction is supported by New Documentary Evidence and that the Enrollment Contractor must approve the blood degree correction request. Under this evidentiary standard, the evidence should establish that the facts are "substantially more probable to be true than not" and which lead the Enrollment Contractor to have "a firm belief or conviction in its factuality." On the other hand, if the Enrollment Contractor finds the facts that are true are a little higher than equal to other information in the Supporting Documents, then the Band member has only proven the request for correction under the preponderance of evidence standard, and the request must be rejected. Similarly, if the Enrollment Contractor finds only certain facts to be true, or if what is true and untrue are equal, the blood degree correction request must be rejected.
- (i) Blood Degree Decision. After reviewing the New Documentary Evidence, the Enrollment Contractor shall prepare written findings of fact and conclusions of law in reaching a decision. The Blood Degree Decision shall include an analysis of the New Documentary Evidence under the Clear and Convincing Evidence standard. The Enrollment Contractor's review shall be completed within a reasonable time according to the circumstances of each request. Some requests may require more time due to complexities of a request, i.e., conflicting historical records not readily available or verifiable. The Enrollment Contractor shall deliver the Blood Degree Decision with all relevant Supporting Documents to the Band member requestor by Certified Mail/Return Receipt Requested and provide copies to the Enrollment Coordinator and Attorney General's Office. The Enrollment Coordinator shall file the decision in the Band member requestor's file.
- (j) Denial of Blood Degree Correction Request. If the Blood Degree Decision denies the blood degree correction request, no further action is necessary. The Enrollment Contractor shall send a written notice of, and the reason(s) for, rejection of the request to the Band member and close the file. The Enrollment Contractor's decision is final and binding and not subject to review by the Enrollment Committee, Business Committee or any tribal courts. The Enrollment Contractor shall send copies of the notice of rejection to the Enrollment Coordinator and Attorney General's Office. The Enrollment Coordinator shall notify the Enrollment Committee of the decision.

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- (k) Approval of Blood Degree Correction Request. If the Blood Degree Decision approves the blood degree correction request, the Enrollment Contractor shall deliver the Blood Degree Decision, relevant Supporting Documents, and a draft Certification of Blood Degree Correction to the Enrollment Committee, with a written request that the Enrollment Committee affirm the decision by resolution and execute the draft Certification. The Enrollment Contractor's request to the Enrollment Committee shall be copied to the Enrollment Coordinator, the Business Committee, the Attorney General's Office and the Band member requestor.
- (l) Enrollment Committee Vote. Subject to conflicts of interest under Section 2.5(c) of this Policy, the Enrollment Committee shall vote by resolution to approve execution of the draft Certification of Blood Degree Correction (**Attachment C-1**), within twenty-one (21) days of receipt from the Enrollment Contractor, and deliver the executed Certification, its resolution and Blood Degree Decision to the Business Committee for review under Section 7.4(m).
- (m) Business Committee Vote. The Business Committee shall vote by resolution to either affirm or reject the Blood Degree Decision and Certification of Blood Degree Correction, provided that any vote of the Business Committee is subject to the conflict of interest provisions of Section 2.305 of the Rincon Code of Conduct and Ethics (RTC § 2.300 et seq.) requiring Recusal from deliberating, deciding or acting on the proposed resolution.
- (1) If affirmed, the Business Committee shall cause all documents delivered by the Enrollment Contractor, its resolution and meeting minutes, to be submitted to the BIA with a transmittal letter requesting concurrence with the Blood Degree Decision and Certification of Blood Degree Correction. The Business Committee shall send a copy of the BIA transmittal letter to the Band member requestor, the Enrollment Committee and the Enrollment Contractor.
- (2) If the Business Committee votes to reject the Blood Degree Decision and Certification of Blood Degree Correction, the Business Committee shall send a rejection letter, and the reason(s) for rejection with a copy of its resolution, to the Band member requestor, Enrollment Committee and the Enrollment Contractor within ten (10) days of the decision. The Band member requestor shall have a right of appeal under Section 7.4(p).
- (n) BIA Concurrence. Within five (5) days of receipt of BIA concurrence with the Blood Degree Decision and Certification of Blood Degree Correction, the Enrollment Coordinator shall send copies of the BIA concurrence to the Business Committee and the Attorney General's office. Within thirty (30) days, the

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Enrollment Coordinator shall send written notice of BIA concurrence to the Band member requestor and request submission of applications from any lineal descendants who may be eligible for enrollment in the Band.

- (o) BIA Rejection. If the BIA does not accept the Business Committee's request for concurrence with the Blood Degree Decision and Certification of Blood Degree Correction, the Enrollment Contractor shall appeal the BIA decision pursuant to 25 C.F.R. § 61.11(b)(2).
- (p) Band Member Right to Appeal.
 - (1) Right to Appeal. The Band member requestor (hereafter, "Appellant") shall have the right to appeal in the Rincon Court of Appeals within twenty-one (21) days of:
 - (A) receipt of the Business Committee's letter and resolution that rejects the Blood Degree Decision and Certification of Blood Degree Decision under Section 7.4(m)(2) of this Policy;
 - (B) receipt of the Enrollment Committee's resolution that confirms an incurable conflict(s) of interest, under Section 2.5(c) of this Policy, that prevents a quorum to approve by resolution execution of the draft Certification of Blood Degree Correction pursuant to Section 7.4(l) of this Policy; or
 - (C) receipt of the Blood Degree Decision and draft Certification of Blood Degree Correction from the Enrollment Contractor under Section 7.4(k), and the Enrollment Committee, pursuant to Section 2.5(c) of this Policy, has failed or refused to vote by resolution to execute the draft Certification pursuant to Section 7.4(l) of this Policy.
 - (2) Sovereign Immunity Waiver for Appeal. The Business Committee, pursuant to RTC 2.100 et seq., hereby grants a limited waiver of sovereign immunity for the sole and exclusive purpose of permitting the Rincon Court of Appeals to hear a Band member requestor's appeal in accordance with Section (p)(1)(A)-(C) of this Policy. The waiver is strictly limited in scope, and any remedy ordered by the Rincon Court of Appeals shall be exclusively confined to one of the following:
 - (A) Reinstatement and Submission to BIA. An order reinstating the Blood Degree Decision and directing the Business Committee to cause the Blood Degree Decision and Certification of Blood Degree Correction, along with the court's order, and all Supporting

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Documents, to be submitted to the BIA for concurrence pursuant to Section 7.4(m) of this Policy.

- (B) Execution of Certification and Submission to BIA. An order directing the Business Committee to take ministerial action by resolution to approve execution of the draft Certification of Blood Degree Correction (**Attachment C-1**) and cause the executed Certification, together with the court's order, the Blood Degree Decision and all Supporting Documents, to be transmitted to the BIA for concurrence in accordance with Section 7.4(m).
- (3) Standing for Appeal. The Appellant shall be deemed to possess sufficient legal interest to confer standing in the Rincon Court of Appeals based on his or her direct personal stake in the Blood Degree Decision and Certification of Blood Degree Correction and his or her right under these procedures to challenge an adverse decision by the Business Committee under Section 7.4(m)(2) of this Policy or the Enrollment Committee under Section 2.5(c) of this Policy.
- (4) Purpose of Appeal. This limited right of appeal exists to protect the integrity of the Band member blood degrees on Base Roll, and to the extent applicable, Supplemental Roll(s), to ensure transparency and fairness in decision-making, and safeguard Band member rights from arbitrary and capricious, or political decisions that lack any basis under Tribal law or policy.
- (5) Notice and Statement of Appeal. The Appellant shall file a document titled "Notice and Statement of Appeal—Blood Degree Correction" with the Rincon Court of Appeals, the contents of which must include:
 - (A) a concise caption and case number;
 - (B) a summary of the Band member's request;
 - (C) a statement of facts, drawing exclusively from the Enrollment Contractor's evidentiary record;
 - (D) a statement of law, identifying the governing Tribal Law (including this Section 7.4), the Clear and Convincing Evidence standard, and the Tribe's waiver of immunity pursuant to subsection (p)(2) of this Policy; and
 - (E) a prayer for relief in accordance with subsection (p)(2) of this Policy.

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- (6) Service of Appeal Documents. Within one (1) day of filing the Notice and Statement of Appeal – Blood Degree Correction, the Appellant shall serve the Notice and Statement of Appeal and all supporting documents on the Business Committee, the Attorney General and the Enrollment Contractor by hand delivery or electronic mail.
- (7) Enrollment Contractor Certification of Records. Within ten (10) days of receipt of the Notice and Statement of Appeal, the Enrollment Contractor shall certify and submit records to the Rincon Court of Appeals, including:
- (A) the Enrollment Contractor’s Blood Degree Decision;
 - (B) the Certification of Blood Degree Correction;
 - (C) all Supporting Documents relied upon by the Enrollment Contractor for the Blood Degree Decision; and,
 - (D) the Tribal Council’s written decision, resolution and meeting minutes.
- (8) Scope of Appellate Review. The Rincon Court of Appeals shall decide the appeal solely on the records submitted by the Enrollment Contractor and the Appellant. No hearings, oral arguments, or briefs are permitted. In deciding an appeal submitted under subsection (p)(1)(A) of this Policy, the Court shall determine whether the Blood Degree Decision is based on New Documentary Evidence that is substantiated by the Clear and Convincing Evidence standard pursuant to Section 1.4(i) of this Policy. In deciding an appeal submitted under subsections (p)(1)(B) or (p)(1)(C) of this Policy, the Court shall determine whether:
- (A) the Enrollment Committee had an incurable conflict of interest that prevents action on the draft Certification of Blood Degree Correction pursuant to Section 2.5(c), or
 - (B) the Enrollment Committee’s failure or refusal to vote by resolution on the draft Certification of Blood Degree Correction constitutes Dereliction of Duty pursuant to Section 2.5(c).
- (9) Final Judgment. The judgment of the Rincon Court of Appeals shall be final, binding and non-appealable by any person or governmental body, the Enrollment Contractor, Business Committee, BIA, Enrollment Committee or the Attorney General.

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- (q) Implementation of Rincon Court of Appeals Judgment. Within five (5) business days of the Rincon Court of Appeals' judgment the following actions are mandatory:
- (1) If the judgment affirms the Blood Degree Decision pursuant to subsection (p)(1)(A), the Business Committee shall cause the Enrollment Contractor's Blood Degree Decision and Certification of Blood Degree Correction, along with the Business Committee resolution and court order, to be submitted to the BIA for concurrence pursuant to Section 7.4(m)(1) of this Policy.
 - (2) If the judgment denies the Blood Degree Decision pursuant to subsection (p)(1)(A), the Enrollment Coordinator shall process the decision in accordance with Section 7.4(j) of this Policy, as if the Enrollment Contractor had denied the decision, and close the file.
 - (3) If the judgment determines that the Enrollment Committee has an incurable conflict of interest pursuant to subsection (p)(1)(B), or that the Enrollment Committee's failure or refusal to act by resolution on the Certification constitutes a Dereliction of Duty pursuant to (p)(1)(C), then the Business Committee shall proceed in accordance with Section 7.4(m)(1) of this Policy.
 - (4) The Enrollment Coordinator shall send written notice of the judgment to the Business Committee, and the Attorney General's Office, and shall place a copy of the judgment and notice in the Band member requestor's file.
- (r) Registry of Blood Degree Correction Requests (Attachment V). The Enrollment Coordinator shall maintain the Registry of Blood Degree Correction Requests, which shall include, at a minimum:
- (1) All Band members and their Immediate Family blood degree correction requests by dates of submission;
 - (2) Dates of final decisions issued by the Enrollment Contractor, Tribal Council, BIA and the Rincon Court of Appeals; and
 - (3) Lineal ancestors named in each request and a list of the documentary evidence submitted in support thereof.
- (s) Limitation on Blood Degree Correction Requests.

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- (1) Coordinator's Initial Review and Checklist. Upon receipt of a request, the Enrollment Coordinator shall:
 - (A) Consult the Registry of Blood Degree Correction Requests to determine whether the request falls within the four-year limitation barring new requests, involves a previously adjudicated lineal ancestor, or relies on previously submitted documentation.
 - (B) Complete a standardized Checklist of Exclusion Criteria (**Attachment W**) documenting the basis for any potential exclusion.
 - (C) Forward the request, together with the completed Checklist, to the Enrollment Contractor for review under Section 7.4(f).
- (2) Contractor Concurrence. No request shall be excluded solely on the Enrollment Coordinator's determination under Section (s)(1) above. Pursuant to Section 7.4(f), the Enrollment Contractor shall review the completed Checklist of Exclusion Criteria and the Registry entries to determine whether the request shall proceed for review under Section 7.4.
- (3) Transparency and Recordkeeping. The Enrollment Coordinator shall maintain the completed Checklist and the Contractor's concurrence (or rejection) in the Registry. Copies shall be provided to the Band member requestor upon written request.
- (4) Limit on Frequency of Requests. A Band member, including their Immediate Family or other Band members whose request is based on the same lineal ancestor, may invoke the blood degree correction procedures in this Section 7.4 only once every four (4) calendar years, measured from the date of final decision on the request (Enrollment Contractor decision, Tribal Council decision, BIA Appeal or Rincon Court of Appeals judgment, whichever is latest).
- (5) Grounds for Refusal of Requests. The Enrollment Coordinator shall refuse any new or subsequent request filed by a Band member that:
 - (A) Falls within the four-year limit from the date of the last final decision or is not accompanied by payment in accordance with 7.4(c) of this Policy;
 - (B) Involves a lineal ancestor previously reviewed by the Enrollment Committee and determined to be without New Documentary Evidence; and

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- (C) Relies on documentation from any prior proceeding or litigation unless accompanied by a sworn declaration that the documentation constitutes New Documentary Evidence.
 - (D) Involves any litigation, appeal or decision of a previous Enrollment Committee involving the blood degree of the Band member requestor, including their Immediate Family or other Band members whose request is based on the same lineal ancestor, that has not been voluntarily dismissed or withdrawn as of the date of the request.
- (6) Final Determinations on Lineal Ancestors. No Band member shall submit a blood degree correction request involving a lineal ancestor that has already been the subject of a final determination, unless the request is supported by New Documentary Evidence.
 - (7) Pending Litigation or Appeals. No Band member shall submit a blood degree correction request if there is any pending litigation or appeal of a previous Enrollment Committee decision involving the blood degree of the Band member, including their Immediate Family or other Band members whose request is based on the same lineal ancestor, that has not been voluntarily dismissed or withdrawn as of the date of the request for a blood degree correction.
 - (8) Consolidation of Similar Requests. Requests from multiple Band members involving the same lineal ancestor and substantially similar documentation shall be consolidated into a single proceeding or summarily rejected if duplicative. The Enrollment Contractor shall determine whether consolidation or rejection is appropriate, based on administrative efficiency and evidentiary overlap.

8. RE-EVALUATION OF APPLICANTS' AND MEMBERS' ENROLLMENT APPLICATIONS

8.1 Member-Initiated Re-evaluation of Enrollment Application

- (a) Member's Right to Re-evaluation. Pursuant to Section 3E of Amendment II to the Enrollment Ordinance, a Band member listed on the Base Roll has the right to correct his or her own blood degree and enrollment status and shall never be subject to Disenrollment. This is a personal right, it belongs exclusively to the Band member and may be exercised only by that member. The intent and protection of this right shall be extended to Band members listed on a Supplemental Roll, subject to the provisions of this Section 8.

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- (b) Member-Initiated Re-evaluation Procedures. When a Band member listed on the Base Roll or Supplemental Roll submits credible documentation that demonstrates he or she provided erroneous information in his or her original enrollment application which, if known at the time, would have made him or her ineligible for enrollment, the Enrollment Committee shall proceed as follows:
- (1) Verify that the request was initiated and signed by the Band member seeking re-evaluation of his or her own eligibility for membership in the Band;
 - (2) Send written notice of receipt of the request to the Band member;
 - (3) Review, verify, and confirm the credibility of the erroneous documentation submitted by the Band member; and
 - (4) Re-evaluate the Band member's application in accordance with the procedures for processing an original application set forth in Section 8.2 of this Policy.
- (c) Limitations on the Outcome of Re-evaluation Determinations. No person listed on the Base Roll shall be subject to Disenrollment or otherwise have their membership revoked. Subject to Section 8.2(a)(2), no person listed on a Supplemental Roll shall be subject to Disenrollment to the extent the member is found to be otherwise eligible under Section 3F of the Ordinance. These protections are absolute and without exception.

8.2 Procedures for Re-evaluation of Eligibility and Disenrollment

- (a) Authority. Subject to the limitations set forth in Section 8.1(c), if the Enrollment Committee finds that a Band member listed on a Supplemental Roll provided erroneous information in his or her enrollment application that, if known at the time, would have made him or her ineligible for enrollment, the decision must be supported by Clear and Convincing Evidence and one or more of the following shall apply:
- (1) The Band member's enrollment was obtained through mistake, fraud, deceit, or misrepresentation, and the Band member does not meet the membership criteria under Section 3F of the Enrollment Ordinance; or
 - (2) The Band member has become an enrolled member of another federally recognized Indian tribe and failed to relinquish membership in the Band.
- (b) Re-evaluation Procedural Due Process. If, after reviewing the Band member's enrollment application and record, the Enrollment Committee finds that the Band

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member's eligibility for enrollment falls within subsection (a), above, the Enrollment Committee shall:

- (1) Meet with the Band member to discuss the potential error;
- (2) Deliberate in closed session; and
- (3) Vote on whether to proceed with a formal re-evaluation of the Band's member's eligibility for enrollment.

No Band member, officer, or employee shall initiate or solicit such proceedings in bad faith, for purposes of harassment, or without a factual basis meeting the standard in subsection (e). Anonymous, unsigned, or unsubstantiated allegations shall not be accepted, acted upon, or placed in a member's enrollment file.

- (c) Notice of Intent to Re-evaluate Member Eligibility. If the Enrollment Committee votes to re-evaluate a Band member's application for enrollment, it shall issue a Notice of Intent to Re-evaluate to the member, which shall include:

- (1) The grounds for re-evaluation of the member's eligibility for enrollment;
- (2) A concise statement of the facts supporting the grounds for re-evaluation and the credible information relied upon by the Enrollment Committee;
- (3) The Band member's right to review and submit a written response within 30 days from receipt of the notice; and
- (4) The Band member's right to meet with the Enrollment Committee to appeal the decision to re-evaluate before the re-evaluation proceeds.

- (d) Re-evaluation Procedures.

- (1) The Enrollment Committee shall vote by resolution to proceed with re-evaluation of a Band member's eligibility for enrollment.
- (2) If the decision to re-evaluate is upheld, the Enrollment Committee shall conduct the re-evaluation in accordance with the procedures for processing an original application set forth in Section 6.4 of this Policy.
- (3) The re-evaluation shall be based on credible, verifiable information and conducted under the Clear and Convincing Evidence standard, applying all procedural safeguards applicable to an original application for enrollment, including BIA review pursuant to Section 6.4(d) and the Band member's right to appeal pursuant to Section 6.5(c).

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- (4) The Enrollment Committee shall provide the Band member with:
 - (A) any information received from the BIA pursuant to Section 6.4(d), and
 - (B) reasonable notice of any meetings or hearings at which their eligibility will be considered.
- (5) The Band member shall have the right to submit evidence, call witnesses, and be represented by counsel or another authorized representative at any meetings or hearings.
- (6) Any hearings shall be on the record with a licensed court reporter present for any oral arguments or testimony.
- (e) Notice of Disenrollment Decision. If the Enrollment Committee determines that the Band member is ineligible for enrollment because Disenrollment is warranted under subsection (a), it shall vote by resolution and issue a Notice of Disenrollment Decision to the Band member, which shall include:
 - (1) The grounds for Disenrollment under subsection (a);
 - (2) A concise statement of the facts and credible information relied upon that supports the Enrollment Committee's decision by the Clear and Convincing Evidence standard, including BIA's response refuting or substantiating the Enrollment Committee's preliminary determination pursuant to Section 6.4(d) of this Policy; and
 - (3) The member's right to appeal the Disenrollment under Section 6.5 of this Policy.
- (f) Disenrollment Decision Procedures.
 - (1) The Enrollment Committee shall cause the Notice of Disenrollment Decision to be served on the Band member pursuant to the procedures set forth in Section 6.5 of this Policy, with a copy provided to the BIA and the Business Committee;
 - (2) The Enrollment Committee shall send a written request to the Business Committee to prepare a resolution confirming the name of the person determined to be ineligible for membership and subject to Disenrollment;

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- (3) The Enrollment Coordinator shall record date of Notice of Disenrollment Decision in the Activity Log of the Band member's file, and the dates of notification to the BIA and Business Committee;
- (4) The Enrollment Chairperson shall send a notification letter to the BIA, with a copy of both the Enrollment Committee's Notice of Disenrollment Decision to the Business Committee and the Business Committee resolution, requesting that the Band member's name be struck from the Supplemental Roll pursuant to Section 7.3(b) of this Policy.
- (g) Reapplication. Any person subject to Disenrollment under this section may reapply for membership in accordance with the enrollment application procedures in Section 6.4 of this Policy.

[ATTACHMENTS ON FOLLOWING PAGE]

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ATTACHMENT A: CONFIDENTIALITY AGREEMENT

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, carelessness, or misuse, in the handling of Confidential Information, including removal and/or possession of confidential records, is a breach of the duty to maintain confidentiality. I further understand that any breach of the duty to maintain confidentiality constitutes grounds for removal from the committee and may result in legal liability, damages, fines and other penalties pursuant to applicable Tribal Law. 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 C: BUSINESS COMMITTEE CERTIFICATION OF BLOOD
DEGREE CORRECTION**

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

BUSINESS COMMITTEE CERTIFICATION OF BLOOD DEGREE CORRECTION

WE, the undersigned duly elected officials of the **Rincon Tribal Business Committee**, do hereby certify, based upon that certain order of the Rincon Court of Appeals, dated [INSERT DATE OF ORDER] and the Blood Degree Decision rendered by [INSERT THE ENROLLMENT CONTRACTOR NAME], dated [INSERT DATE OF BLOOD DEGREE DECISION], the attached Certification of Blood Degree Correction to the [ITERATION OF ROLL - BASE ROLL AND/OR SUPPLEMENTAL ROLL] of the RINCON BAND OF LUISEÑO INDIANS compiled as of [insert same date as Blood Degree Decision date], pursuant to Section 7.4(m)(1) of the Rincon Enrollment Administrative Policy. WE, further certify that the attached Certification of Blood Degree Correction to the [ITERATION OF ROLL - BASE ROLL AND/OR SUPPLEMENTAL ROLL] of the RINCON BAND OF LUISEÑO INDIANS, compiled as of [insert same date as Blood Degree Decision date] 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] () pages and listing the names of persons, Numbers ____ to ____ [insert roll number ranges].

RINCON BUSINESS COMMITTEE:

DATE OF APPROVAL: [insert date]

CHAIRPERSON, [name]

VICE-CHAIR,
[name]

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MEMBER, [name]

MEMBER, [name]

MEMBER, [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 Band of Luiseño 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 Chairperson and the person receiving the second highest number of votes shall be Secretary. This Committee shall serve for the period of two years.

2.5 Vacancies, Conflicts of Interest & Dereliction of Duty:

Conflicts of Interest that Prevent a Quorum. If a vacancy is created because an Enrollment Committee member or Alternate has a conflict of interest involving a draft Certification of Blood Degree Correction, the vacancy is temporary and shall last only until the Enrollment Committee votes by resolution to approve execution of the draft Certification of Blood Degree Correction pursuant to Section 7.4(l) of this Policy. If conflicts of interest prevent a quorum, the Enrollment Committee resolution shall state the Committee's incurable conflicts of interest prevent a quorum and the Band member requestor shall have a right to appeal pursuant to Section 7.4(p)(1)(B).

Right to Appeal – Lack of Quorum. Within twenty-one (21) days, the Enrollment Coordinator shall send a copy of the Committee's resolution to the Band member requestor. Pursuant to Section 7.4(p), the Band member requestor may petition the Rincon Court of Appeals for an order instructing the Business Committee to vote by resolution to approve execution of the draft Certification of Blood Degree Correction (**Attachment C**), and transmit the Certification, together with the Blood Degree Decision and all Supporting Documents, to the BIA for concurrence in accordance with Section 7.4(m).

Right to Appeal – Failure or Refusal to Act. If the Enrollment Committee fails or refuses to vote by resolution to approve execution of the draft Certification of Blood Degree Correction within twenty-one (21) days of receipt from the Enrollment Contractor, as proscribed in Section 7.4(l) of this Policy, such failure or refusal constitutes Dereliction of Duty under Section 2.4(a)(2). The Band member requestor, pursuant to Section 7.4(p)(1)(C) of this Policy, may petition the Rincon Court of Appeals for an order instructing the Business Committee to vote by resolution to

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approve execution of the draft Certification of Blood Degree Correction (**Attachment C**), and transmit the Certification, together with the Blood Degree Decision and all Supporting Documents, to the BIA for concurrence in accordance with Section 7.4(m).

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ATTACHMENT C-1: CERTIFICATION OF BLOOD DEGREE CORRECTION

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

CERTIFICATION OF BLOOD DEGREE CORRECTION

WE, the undersigned duly elected officials of the **Rincon Tribal Enrollment Committee**, do hereby certify, based upon the Blood Degree Decision rendered by [INSERT THE ENROLLMENT CONTRACTOR NAME], dated [INSERT DATE OF BLOOD DEGREE DECISION], the attached Certification of Blood Degree Correction to the [ITERATION OF ROLL - BASE ROLL AND/OR SUPPLEMENTAL ROLL] of the RINCON BAND OF LUISEÑO INDIANS, compiled as of **[insert same date as Blood Degree Decision date]** pursuant to Section 7.4(l) of the Rincon Enrollment Administrative Policy. WE, further certify that the attached Certification of Blood Degree Correction to the [ITERATION OF ROLL - BASE ROLL AND/OR SUPPLEMENTAL ROLL] of the RINCON BAND OF LUISEÑO INDIANS, compiled as of **[insert same date as Blood Degree Decision date]** 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] (___) pages and listing the names of persons, Numbers ___ to ___ **[insert roll number ranges]**.

RINCON ENROLLMENT COMMITTEE:

DATE OF APPROVAL: [insert date]

CHAIRPERSON, [name]

SECRETARY, [name]

MEMBER, [name]

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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 Band of Luiseño 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 Chairperson and the person receiving the second highest number of votes shall be Secretary. This Committee shall serve for the period of two years.

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ATTACHMENT D: 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 E: 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 F: 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

Date

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

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ATTACHMENT G: 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.
1. 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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ATTACHMENT H: APPLICATION FOR ENROLLMENT

APPLICATION FOR ENROLLMENT WITH THE RINCON BAND OF LUSIÑO 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:

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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 enrolled, with any other tribe? (circle one)	NO	YES	If yes, please provide name of tribe and date of relinquishment: 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.*

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

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FOR ENROLLMENT COMMITTEE USE		
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:		

Great Grandmother's full name
Birthdate:
Tribe and Blood Degree

Ordinance No. 2.1000
Original Enactment Date: September 27, 2011
Subject: Enrollment Administrative Policy

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ATTACHMENT I: 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.*

		Great Grandfather's full name Birthdate: Tribe and Blood Degree
	Grandfather's full name Birthdate: Tribe and Blood Degree	Great Grandmother's full name Maiden Name: Birthdate: Tribe and Blood Degree
Father's full name Birthdate: Tribe and Blood Degree		Great Grandfather's full name Birthdate: Tribe and Blood Degree
	Grandmother's full name Maiden Name: Birthdate: Tribe and Blood Degree	Great Grandmother's full name Maiden Name: Birthdate: Tribe and Blood Degree
		Great Grandfather's full name Birthdate: Tribe and Blood Degree
	Grandfather's full name Birthdate: Tribe and Blood Degree	Great Grandmother's full name Maiden Name: Birthdate: Tribe and Blood Degree
Mother's full name Maiden Name: Birthdate: Tribe and Blood Degree		Great Grandfather's full name Birthdate: Tribe and Blood Degree
	Grandmother's full name Maiden Name: Birthdate: Tribe and Blood Degree	Great Grandmother's full name Maiden Name: Birthdate: Tribe and Blood Degree

RINCON ENROLLMENT ADMINISTRATIVE POLICY
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ATTACHMENT J: 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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Rincon Tribal Code § 2.1000

**ATTACHMENT K: 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 L: 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			
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			
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:			

RINCON ENROLLMENT ADMINISTRATIVE POLICY
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ATTACHMENT M: NAME AND/OR ADDRESS CHANGE NOTIFICATION FORM

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 N: 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 O: NOTICE OF PRELIMINARY FINDINGS OF THE RINCON
ENROLLMENT COMMITTEE FOR ENROLLMENT APPLICATION**

**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 P: 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 it 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.

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ATTACHMENT Q: 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 Supplemental Roll. You will be notified of the date the Business Committee has established for new member orientation at which time an Enrollment Card, a Certificate of Degree of Indian Blood and member benefits paperwork will be issued for your completion.

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

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**ATTACHMENT R: ENROLLMENT COMMITTEE RESOLUTION APPROVING
ENROLLMENT**

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 INDIANS
TO APPROVE THE ENROLLMENT OF [INSERT NAME(s)] WITH THE
RINCON BAND OF LUISEÑO INDIANS**

WHEREAS, the Rincon Band of Luiseño Indians (“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.

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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
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RESOLUTION NO. _____
Page 2 of 2

CERTIFICATION

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

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**ATTACHMENT S: 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

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ATTACHMENT T: 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] _____

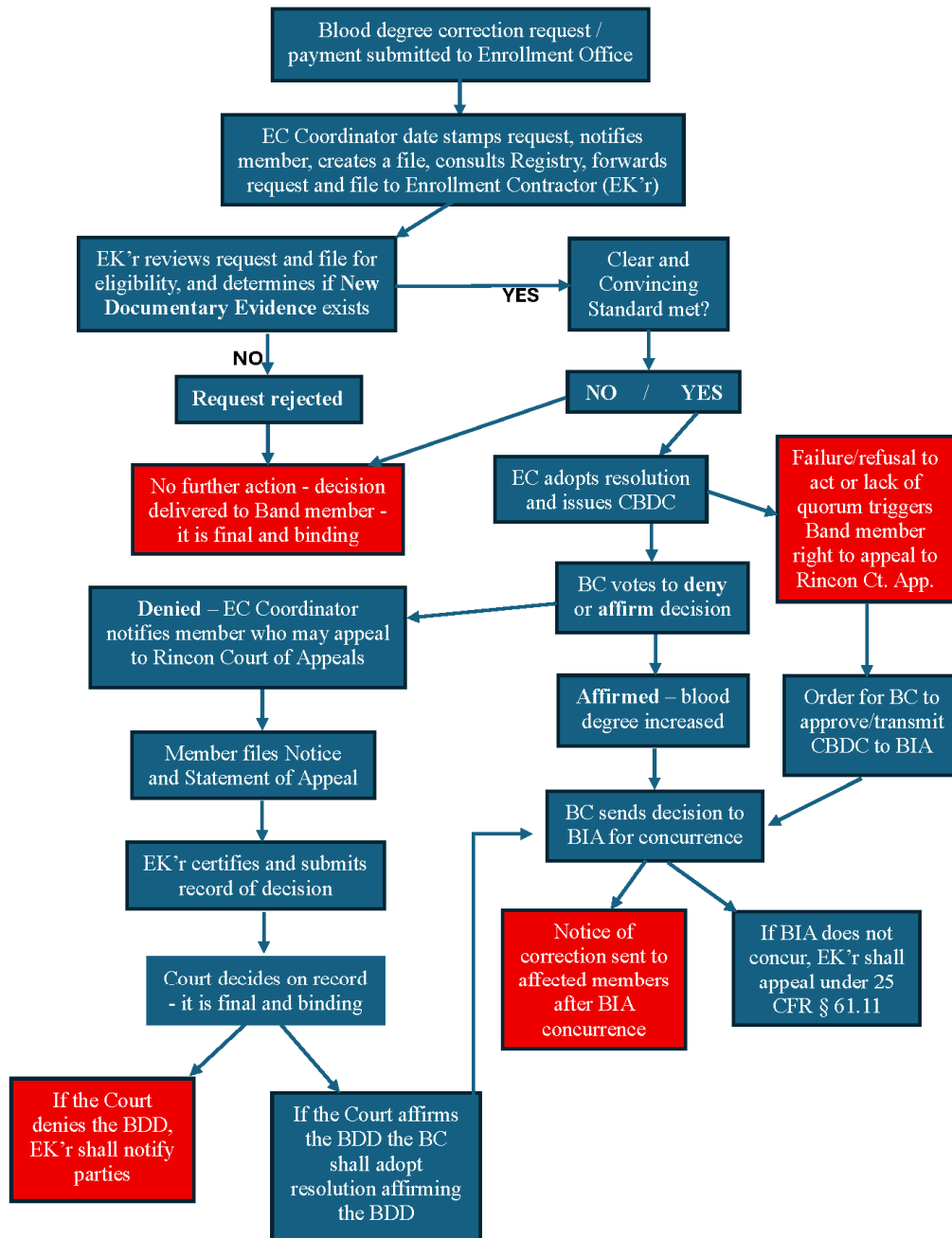
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Ord. No. 3, Sec. 2 – Enrollment Committee:

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 Band of Luiseño 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.

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ATTACHMENT U: FLOW CHART, BLOOD DEGREE CORRECTION REQUEST



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**ATTACHMENT V: REGISTRY INDEX OF BLOOD DEGREE CORRECTION
REQUESTS**

REGISTRY INDEX OF BLOOD DEGREE CORRECTION REQUESTS

Registry ID	Band Member Requestor	Immediate/Related Family Members Linked to Same Lineal Ancestor	Lineal Ancestor Identified	Date of Request	Supporting Documents Submitted	Final Decision & Date (Contractor / Tribal Council / BIA / Appellate Court)

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ATTACHMENT W: CHECKLIST OF EXCLUSION CRITERIA

Band Member Requestor: _____

Lineal Ancestor Identified: _____

Date of Request: _____

Step 1: Registry Verification

- ☐ Requestor and Immediate/Extended Family requests checked against Registry
- ☐ Four-year limitation verified (date of last final decision: _____)
- ☐ Lineal ancestor previously adjudicated? ☐ Yes ☐ No
- ☐ Pending litigation/appeal involving same ancestor or Band member? ☐ Yes ☐ No

Step 2: Documentation Review

- ☐ New Documentary Evidence submitted
- ☐ Documentation previously submitted in prior proceeding? ☐ Yes ☐ No
- ☐ If yes, sworn declaration provided that evidence is new? ☐ Yes ☐ No

Step 3: Exclusion Criteria (Coordinator's Findings)

- ☐ Request by non-Band member
- ☐ Request falls within four-year bar
- ☐ Request involves previously adjudicated ancestor without new evidence
- ☐ Request relies on previously submitted documentation without sworn declaration
- ☐ Request involves pending litigation/appeal not dismissed or withdrawn
- ☐ Request duplicative of another pending request involving same ancestor
- ☐ Other (explain): _____

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Coordinator's Recommendation:

☐ Accept for Sec. 7.4 review

☐ Exclude (basis): _____

Coordinator Signature/Date: _____

Step 4: Contractor Concurrence

- The Enrollment Contractor shall review the Coordinator's Checklist and Registry entries.
- Exclusion is valid only if the Contractor concurs in writing.

Contractor's Determination:

☐ Concur with exclusion

☐ Do not concur—request proceeds to full Sec. 7.4 review

Contractor Signature/Date: _____