

THE TULALIP TRIBES OF WASHINGTON  
RESOLUTION 2021 - 146

ORIGINAL

Code Amendment 5.05 Enrollment

**WHEREAS** the Board of Directors is the governing body of the Tulalip Tribes under the Constitution and Bylaws of the Tribe approved by the United States Commissioner of Indian Affairs and the Secretary of the Interior on January 24, 1936, pursuant to the Act of June 18, 1934 (48 Stat. 984, 25 U.S.C. §476);

**WHEREAS**, the Tulalip Board of Directors under Article VI, Section 1 of the Tribal Constitution desire to safeguard and promote the communities peace, safety and general welfare; and

**WHEREAS**, the Enrollment Committee has recommended, and the Board concurs, that the Enrollment Ordinance, Section 5.05.100, Sponsoring an applicant for enrollment, shall be amended as follows:

*If a person to be enrolled is (1) a minor or other person in need of assistance for substantiated physical or mental reasons or causes; or (2) a member of the armed services or other services of the United States of America (or members of their immediate family) who are stationed outside of the State of Washington, an application for membership by enrollment may be completed and filed by the applicant's sponsor. If the sponsor is not the Tulalip Tribal member parent of a minor, then the non-Tribal parent or guardian may be the sponsor only if they have legal custody of the minor applicant. [Ord. 94B § 10.0, 10-2-1999 (Res. 99-287); Ord. 94 § 10.0, 4-11-1997].*

**WHEREAS**, the Enrollment Committee has recommended, and the Board concurs, that the Enrollment Ordinance, Section 5.05.110 (4), Duties of the Enrollment Officer and Enrollment Clerk, shall be amended as follows:

The documentation shall contain as a minimum the following information and requirement of subsections (4)(a) through ~~(h)~~ (j) of this section:

*(f) Social Security number card;*

*(j) DNA test results are required for the biological mother and father if they are enrolled with the Tulalip Tribes. If the Enrollment Committee deems it necessary and relevant to do so, it may require DNA and/or blood tests of the applicant and related persons to be undertaken and produced at the applicant's expense. In all cases where the only Tribal member parent indicated on the enrollment application is the father, DNA testing shall be required to establish the biological parentage of the Tribal member father.*

**WHEREAS**, the Enrollment Committee has recommended, and the Board concurs, that the Enrollment Ordinance, Section 5.05.150(2), (3), (4) & (13), Termination of continued or future Tribal membership shall be amended as follows:

*(2) Such members subject to having their continued and future membership in the Tribes being annulled, canceled, revoked and/or rescinded shall be notified by the Board of Directors in writing, either by personal service evidenced by an affidavit of service or by first class and certified or registered United States mail, postage prepaid, with return receipt requested, that the Board of Directors has been advised by written recommendation and report of the*

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*Enrollment Committee that such member was ineligible for membership in the Tribes at the time of such one's enrollment or adoption to Tribal membership for failure to have met the then-established enrollment criteria and the requirements of Tribal Constitution, Article II, Section 1(B), or adoption ordinance, or is dually enrolled with any other Federally recognized tribe and is unwilling to relinquish, as the case may be.*

*(3) Upon the date of notice of the Board under this subsection, all of the member's per capita and general welfare payments will be held until the membership termination process, including appeals, is complete. At the conclusion of the process, if the member is disenrolled the withheld per capita or general welfare funds will be returned to the Tribes. If a final decision results in the member not being disenrolled, the withheld per capita or general welfare funds shall be promptly disbursed to the member.*

*(4) In the notification, such member shall also be advised that, within 30 days from the effective date of its service, he or she may request an opportunity to show cause at a hearing and submit any and all relevant information to the Board of Directors demonstrating that such one did then meet the enrollment criteria and the requirements of Tribal Constitution, Article II, Section 1(B), or adoption ordinance, as the case may be, and that their enrollment or adoption was due and proper; or that they are not dually enrolled in another Federally recognized Indian tribe. The Board may also notify the member subject to disenrollment that they are required to provide DNA test results prior to the show cause hearing if such results may be relevant to the disenrollment determination. Failure to provide required DNA testing shall result in a dismissal of the show cause hearing and waiver of appeal rights. The request for hearing must be in writing and be received by the Secretary of the Board of Directors within said 30 days.*

*(13) If the Board of Directors finds that a member is not subject to disenrollment based on the date of their initial enrollment and lack of fraud, despite a DNA determination or finding that the person did not in fact meet enrollment requirements and were enrolled through mistake or error, then that member's children and other biological descendants shall not qualify for enrollment unless their eligibility is based on another tribal member biological parent that does satisfy enrollment requirements. Persons enrolled based on a member parent who was determined not to satisfy enrollment criteria are subject to disenrollment.*

**NOW THEREFORE BE IT RESOLVED**, that the Board of Directors of the Tulalip Tribes of Washington hereby amends Enrollment Code 5.05 section, 5.05.100, 5.05.110 (f) and (j) and 5.05.150 (2), (3), (4) and (13).

**NOW THEREFORE BE IT FURTHER RESOLVED**, that the Board of Directors of the Tulalip Tribes of Washington hereby amends Enrollment Code 5.05 section, 5.05.100, 5.05.110 (f) and (j) and 5.05.150 (2), (3), (4) and (13) as stated above (added language indicated in red, deleted language by strike-through).

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**ADOPTED** by the Board of Directors of the Tulalip Tribes of Washington at a regular board meeting assembled on the 2 day of April, 2021, with a quorum present, by a vote of 6 For, 0 Against, and 0 Abstain.

THE TULALIP TRIBES OF WASHINGTON



Teri Gobin, Chair

ATTEST:



Mel Sheldon Jr., Secretary

The within document is hereby approved pursuant to  
209 DM8, 230 DM 1, 3 IAM 4

Acting Superintendent, Puget Sound Agency