

TRIBAL COUNCIL ACT 2-3

AN ACT RELATING TO

TRIBAL ENROLLMENT

BE IT ENACTED BY THE SNOQUALMIE TRIBAL COUNCIL

SECTION 1.0—TITLE AND CODIFICATION

This Chapter will be known as the Snoqualmie Tribal Enrollment Act and will be codified as Title 2, Chapter 3 of the Snoqualmie Tribal Code.

SECTION 2.0—STATUTORY AUTHORIZATION

The aboriginal and inherent sovereign powers of the Snoqualmie Indian Tribe to govern are vested in the Snoqualmie Tribal Council. The Snoqualmie Tribal Council has the authority to safeguard and promote the peace, safety, and moral and general welfare of the members of the Tribe by regulating the behavior and actions of all persons within the jurisdiction of the Tribe, and to provide for the enactment and enforcement of the laws of the Tribe. Snoqualmie Tribal Constitution Article VIII, Section 1(j). This authority includes the power to implement the membership requirements of the Snoqualmie Tribal Constitution. Snoqualmie Tribal Constitution Article II.

SECTION 3.0—PURPOSE AND SCOPE

This Chapter governs current membership, future membership, and loss of membership in the Snoqualmie Indian Tribe.

SECTION 4.0—DEFINITIONS

In this Chapter, the following words and terms will have the following meanings, unless the context otherwise requires:

ANCESTOR means a person(s) whom you have biologically descended from within your direct family line.

APPLICANT means a person who has formally applied for membership in the Snoqualmie Indian Tribe, before approval or denial of the application.

BASE ROLL refers only to the original persons of Snoqualmie Indian blood listed on the 1919 Charles Roblin's Schedule of Unenrolled Indians.

BUSINESS DAY means a day on which the Tribal Administration conducts regular business, and excludes weekends, holidays recognized by the Tribe, and other whole-day administrative closures authorized by Tribal Council.

DESCENDANT means a person(s) whom biologically precedes an ancestor within their direct family line.

ENROLL or **ENROLLMENT** refers to the process of becoming formally recognized as a member of the Snoqualmie Indian Tribe.

ENROLLED MEMBER refers to any individual enrolled in the Snoqualmie Indian Tribe who's living or deceased.

ENROLLMENT COMMITTEE means the body appointed by the Snoqualmie Tribal Council pursuant to this Chapter to carry out the duties set forth in this Chapter.

ENROLLMENT DIRECTOR means the person employed by the Snoqualmie Indian Tribe to direct the operations of the Enrollment Office pursuant to this Chapter.

ENROLLMENT OFFICE means the office administered by the Enrollment Director for the purpose of receiving and processing applications for enrollment and handling other enrollment-related matters pursuant to this Chapter.

GENERAL COUNCIL means the body consisting of all enrolled members of the Snoqualmie Indian Tribe.

MINOR means anyone under the age of 18.

PERSON means any human being of any age or sex, whether or not a member of the Snoqualmie Indian Tribe.

RESOLUTION means an official resolution of the Snoqualmie Tribal Council.

ROLL means the census roll of the Snoqualmie Indian Tribe as kept and updated by the Enrollment Office.

SECRETARY OF THE INTERIOR means the Secretary of the Interior of the United States, or a duly authorized representative.

TRIBAL COUNCIL means the duly elected governing body of the Snoqualmie Indian Tribe.

TRIBAL MEMBER means a person who is a duly enrolled member of the Snoqualmie Indian Tribe.

TRIBAL SECRETARY means the duly elected Tribal Council member whom Tribal Council has duly elected to hold the office of Secretary of Tribal Affairs pursuant to Article IX of the Constitution of the Snoqualmie Indian Tribe.

TRIBE means the Snoqualmie Indian Tribe.

SECTION 5.0—CONSTITUTIONAL REQUIREMENTS CONCERNING MEMBERSHIP

The membership of the Tribe will consist of the following, in accordance with Article II of the Tribal Constitution:

- (a) All persons of Snoqualmie Indian blood whose names appear on Charles Roblin's schedule of Unenrolled Indians as of January 1, 1919. These persons of Snoqualmie Indian Blood whose names appear on Charles Roblin's schedule of Unenrolled Indians as of January 1, 1919, shall be the Base Roll for the Snoqualmie Indian Tribe.
- (b) All descendants of persons who qualify for Tribal membership under Article II, Section 1 (a) of the Snoqualmie Tribal Constitution, provided that such descendants possess at least one-eighth ($1/8^{\text{th}}$) degree of Snoqualmie Indian blood.
- (c) All persons who do not qualify for membership under Article II, Section 2 (a) or (b), must be a biological child of an enrolled Snoqualmie Tribal member, provided that such persons possess Snoqualmie Indian blood.
- (d) Any Indian person who is adopted in accordance with the acts and resolutions of the Tribal Council, provided however that an Indian adoptee shall not be eligible to hold an elected office and shall not share in any judgment fund or per capita payments otherwise available to enrolled Snoqualmie Tribal members pursuant to sub-sections (a) and (b) of this section. Indian adoptees shall have only those rights and privileges actually bestowed by the Tribal Council at the time of adoption.
- (e) All non-Indian persons adopted as honorary members of the Snoqualmie Indian Tribe. Non-Indians are restricted to the status of honorary membership and in no case shall an honorary member be entitled to hold an elected office, to vote or participate in any tribal affairs or share in any distribution of tribal funding reserved for enrolled Snoqualmie Indians pursuant to subsections (a) and (b) of this section.
- (f) Any Snoqualmie Indian Tribal member may voluntarily relinquish their enrollment from the Snoqualmie Indian Tribe at any time pursuant to the enrollment laws of the Tribe. A Tribal member, 18 years or older, who voluntarily relinquishes their enrollment, in their own name, with the Snoqualmie Indian Tribe shall be prohibited from seeking re-enrollment as a member of the Snoqualmie Indian Tribe.

SECTION 6.0— ELIGIBILITY REQUIREMENTS

6.1 Dual Enrollment Prohibited

- (a) Dual enrollment is prohibited. No person shall be eligible for membership in the Snoqualmie Indian Tribe who is currently a member of any other organized Tribe, band, or Indian Community officially recognized by the Secretary of the Interior, or not so recognized.
- (b) Any adult member who is found to be enrolled in another organized tribe, band, or Indian Community while a member of the Tribe, is subject to revocation of membership in accordance with Section 13.2, below.
- (c) For any minor member who is found to be enrolled in another organized tribe, band, or Indian Community, the minor's parent(s) will be given notification from the Tribe that they have thirty (30) business days to relinquish their minor from the other tribe, Band or Indian Community. Failure to do so within the specified time frame will result in the minor member being subject to disenrollment.

6.2 Additional Requirements

Any persons that have ever been enrolled in any other organized Tribe, band, or Indian Community officially recognized by the Secretary of the Interior, or not so recognized, as an adult, then you are not allowed to enroll in the Snoqualmie Indian Tribe at any time.

SECTION 7.0—ENROLLMENT PERSONNEL

7.1 Enrollment Committee

The Tribal Council will appoint an Enrollment Committee consisting of ten (10) Tribal members who represent the five major families (two from each of the Davis-Monohan, Fogue-Louie, Kanim, Moses, and Zackuse families) and who are not members of the Tribal Council. They will have the responsibility of processing applications, making recommendations to Tribal Council for acceptance or rejection of applications, preparing and maintaining the current membership roll, and other duties consistent with the provisions of the Tribal Constitution, and this Chapter.

7.2 Enrollment Director

The Tribal Council, with the participation and advice of the Enrollment Committee, will appoint an Enrollment Director who will report to the Tribal Secretary. The Enrollment Director will direct the operations of the Enrollment Office (and any staff thereof) and will receive and process applications for enrollment and handle other enrollment-related matters and duties consistent with the provisions of the Tribal Constitution and this Chapter.

SECTION 8.0—APPLICATIONS FOR ENROLLMENT

8.1 Who Must File?

All persons not currently enrolled in the Snoqualmie Indian Tribe as of February 24th, 2022, who request membership in the Tribe, must file an enrollment application. Parents, guardians, or other sponsors such as social workers may file applications for minors or incompetents. No one will be considered for enrollment unless the individual or a sponsor has filed an enrollment application on an approved form supplied by the Enrollment Office.

8.2 When and Where to File an Application

- (a) All enrollment applications must be filed with the Enrollment Director. Application forms may be obtained by request of the Enrollment Department or downloaded from the Tribal website.

8.3 What the Application Must Contain

Each enrollment application must be completed in its entirety and must contain sufficient personal information to properly determine the applicant's eligibility for enrollment. Applications must show at minimum the following:

- (a) All names by which the applicant is or has been known;
- (b) The address, phone number, and email of the applicant;
- (c) The applicant's claimed degree of Snoqualmie Indian blood;
- (d) A family tree that includes the name of your Snoqualmie ancestor who was listed on Charles Roblin's Schedule of Unenrolled Indians as of January 1, 1919; and/or list the name of your biological parent enrolled with the Snoqualmie Indian Tribe;
- (e) The names, addresses, telephone numbers, and tribal enrollment information of the applicant's biological parents;
- (f) The marital status of the applicant, together with a listing of the names, ages, and dates of birth of the spouse and all minor children;
- (g) The name of the tribe(s) and degree(s) of Indian blood of any Indian Tribe, Band, Pueblo or Indian Nation other than the Snoqualmie Tribe;
- (h) The signature of the applicant (or the applicant's parent, legal guardian, or other sponsor, as applicable, if the applicant is under 18 years of age and/or incompetent);

- (i) The date of the filing of the application;
- (j) The application must be accompanied by the original or certified copy of the applicant's Birth Certificate or Certificate of Live Birth as well as a copy of Photo ID if over the age of 18
- (k) Should the Tribe determine that an applicant qualifies for and is granted membership, the Tribe will reimburse the applicant for the certified birth certificate up to a cost of \$25.00.
- (l) The eligibility for enrollment of a person adopted by a family or the ward of a legal guardian will be determined through one or both of the biological parents. Documentary evidence submitted to support an adopted person's application for enrollment must show relationship to the biological parent through whom eligibility for enrollment is claimed.

8.4 Submitting the Application

- (a) All enrollment applications may be obtained from the Enrollment Department or directly from the Tribal website.
- (b) All documents submitted to the Enrollment Office by the applicant(s), their guardian or legal representative, are the property of the Tribe and will remain so indefinitely.
- (c) Incomplete applications will be addressed with the applicant via certified mail with return receipt or email and returned to the applicant if needed for additional information.

8.5 Burden of Proof

At all times throughout the membership application process, the burden of proof to establish eligibility for membership rests with the Applicant.

SECTION 9.0—PROCESSING OF THE APPLICATION

9.1 Processing of the Application by the Enrollment Director

- (a) Within thirty (30) business days after receiving an application, the Enrollment Director must review the application to ensure that it is complete. If it is not complete, the Enrollment Director must notify the applicant by certified mail, return receipt requested, of what additional information is required.

- (b) The Enrollment Director must complete the following actions within thirty (30) business days thereafter:
 - (i) If an applicant possesses blood of any other tribe, or if the Enrollment Director believes the applicant may possess blood of another tribe, check on possible dual enrollment.
 - (ii) Separate applications into two stacks: (1) applicants who meet all requirements; and (2) applicants who do not meet requirements or who do not have proper documentation.
 - (iii) Forward all applications, files, and any other appropriate documentation to the Enrollment Committee.

9.2 Processing of the Application by the Enrollment Committee

- (a) The Enrollment Committee will review the materials received from the Enrollment Director and will make reasonable efforts to complete the following actions within thirty (30) business days after receipt of the materials:
 - (i) Examine applications and documentation presented by the Enrollment Director.
 - (ii) Determine the accuracy and sufficiency of research, notifying the Enrollment Director of any additional action required, if necessary.
 - (iii) Decide, by a majority vote of the Enrollment Committee with a quorum present, to recommend to Tribal Council the acceptance or rejection of applicants.
 - (iv) Document decisions with motions.
- (b) The Chair of the Tribal Enrollment Committee must submit a quarterly written report to the Tribal Council commencing three months after the date of adoption of this Chapter. The report must detail the names of the persons recommended for membership, and must have copies of the motions for those recommended for membership attached. In addition, the names of those recommended for rejection and the names of all pending applicants must be included in the report.
- (c) When the Enrollment Committee determines that an application and the documentation provided is insufficient to prove descendancy, it may, in its discretion, require the applicant to submit additional proof of lineage which may include: (i) a marriage license for the parents of the applicant; (ii) a notarized parentage affidavit signed by the biological mother and father of the applicant; (iii) a court order determining parentage; or (iv) other documents as may be

necessary to prove lineage and document the enrollment application. Applicants who are required by the Enrollment Committee to submit such additional documentation must comply. Failure to do so will result in the disqualification of the applicant.

9.3 Processing of the Application by the Tribal Council

Tribal Council must complete the following actions as needed at their next regularly scheduled session after receiving enrollment recommendations from the Enrollment Director on behalf of the Enrollment Committee:

- (a) Decide, by a majority vote with a quorum present, whether to accept or reject the recommendations of the Enrollment Committee with respect to the persons recommended for membership (persons recommended for rejection by the Enrollment Committee will have a right to appeal pursuant to Section 10.0, below).
- (b) Document all approvals with resolutions and all denials with motions from Tribal Council, followed by letters from the Tribal Secretary informing all applicants of decisions made by Tribal Council
- (c) Direct the Enrollment Director to notify accepted applicants via a letter to be sent out within 14 business days of the action taken, informing them of the membership number assigned. All letters to minor applicants will be addressed to the parent or guardian.
- (d) Direct the Enrollment Director to notify ineligible applicants of the action taken via a letter to be sent within 14 business days including the explanation for denial and of their right to appeal the decision to the General Council. All letters to minor applicants will be addressed to the parent or guardian.

9.4 Introduction of New Members

The Tribal Secretary will introduce newly enrolled members to the General Council at the beginning of the next regularly scheduled General Council meeting.

SECTION 10.0—APPEALS

- (a) Applicants who are determined ineligible for Tribal membership by the Tribal Council will be notified of their ineligibility by certified mail return receipt requested. The ineligibility notice must state the specific reason(s) they do not qualify and advise the applicant of the right to appeal. The applicant must be advised to submit with the appeal any supporting evidence not previously furnished.

- (b) An applicant choosing to appeal a decision of the Tribal Council for which an appeal is permitted under this Chapter to the General Council must submit the appeal in writing to the Tribal Secretary no later than thirty (30) business days after the date of mailing of the notice of ineligibility or other decision or action for which an appeal is permitted under this Chapter. The applicant must include with the appeal any documentation pertaining to the applicant's eligibility for enrollment that the applicant wishes the General Council to consider. If the deadline for an appeal falls on a weekend or holiday, the following regularly scheduled business day becomes the deadline.
- (c) The Tribal Secretary will place the appeal as a priority item at the top of the agenda for the next regularly scheduled General Council meeting, provided the Tribal Secretary receives the appeal at least thirty (30) days before such meeting (appeals received less than thirty (30) days before such meeting will be placed on the agenda as a priority item for the following regularly scheduled General Council meeting).
- (d) The General Council will consider and decide the appeal as a priority item at the next regularly scheduled General Council meeting. The General Council decision will be made by majority vote with a quorum present. The decision of the General Council on the appeal is final.
- (e) Notwithstanding the foregoing, no appeals shall be considered by the General Council during any period when the Snoqualmie Tribal Council has declared State of Emergency by resolution and the State of the Emergency is continuing at the time of the next regularly scheduled General Council meeting.

The Tribal Secretary will be provided the findings of the Enrollment Committee regarding the applicant to share with the General Council, so that all pertinent information is known at the time of appeal.

SECTION 11.0—REAPPLYING

Applicants who have been rejected for membership and individuals whose membership has been revoked for reasons of error (but not fraud) in the application process may file a new application only if they meet one of the following requirements:

- (a) They have new documented evidence that supports their new application for membership; or
- (b) The constitutional criteria for membership have changed since their last application.

SECTION 12.0—RECORDS**12.1 Content of Individual Folder**

An individual folder must be established for each applicant. This folder must contain the following items:

- (a) Application Form;
- (b) Family Tree;
- (c) Birth Certificate;
- (d) Photo ID Copy (if over the age of 18);
- (e) Adoption documentation (if applicable);
- (f) Marriage license(s) (if applicable);
- (g) Divorce Decree (if applicable);
- (h) Correspondence;
- (i) Copy of resolutions affecting enrollment;
- (j) Death Certificate (if applicable); and
- (k) All other documentation on the person pertinent to membership in the Tribe.

12.2 Access to Records

- (a) Enrollment files may only be disclosed to:
 - (i) A person asking to see his or her own file;
 - (ii) A person asking to see the file of a direct lineal ancestor or descendant, provided that if the ancestor or descendant is living, he or she (or his or her parent or legal guardian if a descendant is under 18 years of age) has first provided written consent; or
 - (iii) An attorney or other person asking to see the file of a person he or she represents, when the person has authorized such representation in writing.
- (b) Neither the current membership roll nor any portion thereof may be copied and/or distributed to any outside person or organization except upon permission of the Tribal Council by appropriate resolution. The Tribal Council will use its

discretion in using and/or releasing information from the roll for the benefit of Tribal members or tribal programs.

- (c) Information in individual folders will be considered confidential. Except as expressly authorized in subsection (a) above, it will not be available to anyone except the Enrollment Office and to Enrollment Committee members, Tribal Council, and General Council only when such examination is necessary in considering enrollment decisions.
- (d) The information concerning adopted persons will be recorded as confidential and will not be made public to any other person. This information will be contained in locked file cabinets, and adequate safeguards will be implemented to ensure that the confidentiality of these records will not be violated.

12.3 Updating Records

Upon receipt of the proper documentation, the Enrollment Director is authorized to update the information on the Tribal roll. The following documentation is deemed adequate for such actions to be taken:

- (a) Name Change Marriage license
 Divorce decree
 Court order changing name
- (b) Address Change Written statement signed by Tribal member or
 his/her guardian
- (c) Incompetence A court order from a court of competent jurisdiction
 declaring a Tribal member incompetent
- (d) Legal Guardianship or A court order from a court of competent jurisdiction
 Power of Attorney declaring the legal guardianship
 Power of Attorney
- (e) Death Death certificate
 Bureau of Indian Affairs records
 Mortuary records
 Hospital records

12.4 Necessary Corrections Discovered by the Enrollment Director or Enrollment Committee

In the event that the Enrollment Director or Enrollment Committee discovers incorrect information in the enrollment file of a Tribal member enrolled on or after February 24th, 2022:

- (a) The Enrollment Director may make minor changes, such as corrections of typographical errors.
- (b) The Enrollment Director must bring all incorrect information to the attention of the Enrollment Committee before making any corrections.
- (c) The Enrollment Committee will submit to the Tribal Council a list of all possible incorrect information as well as any and all documentation to verify the need for correction(s).
- (d) Material changes that would impact the Tribal member's eligibility for Tribal membership must follow the process set forth in Section 13.2, below.
- (e) Material changes that do not impact the Tribal member's eligibility for Tribal membership (such as corrections to a family tree or blood quantum that do not impact the Tribal member's eligibility for Tribal membership) may be made in accordance with the following process. Before any such change to a member's record can be made, the Enrollment Director must give the member notice by certified mail, return receipt requested, that the change(s) will take place no sooner than thirty (30) business days after the mailing of the letter. During the notice period, the member may request a meeting with the Enrollment Director and may present to the Enrollment Director any information the member deems relevant to the proposed change. Following the expiration of the notice period, the Enrollment Director will promptly transmit the proposed change and all relevant information and documentation to the Tribal Council. The Tribal Council will render a decision within forty-five (45) business days after its receipt of such transmission, and will transmit its decision to the Enrollment Director. The Enrollment Director will then inform the Enrollment Committee of corrections the Tribal Council has so ordered. The Enrollment Director will inform the Tribal member(s) by certified mail, return receipt requested, of any changes made to his or her record. Within thirty (30) days thereafter, the Tribal member may appeal any decision affecting the Tribal member's record to the General Council pursuant to Section 10.0, above.

In reviewing the need for corrections under this section, the enrollment files of Tribal members enrolled before February 24th, 2022, may be reviewed for informational purposes, but no corrective action may be taken with respect to such files.

12.5 Changes Requested by Tribal Member(s)

Except as set forth in Section 12.4 above, requests for changes in blood quantum or any other changes in an enrollment record must be made in writing and may be made only by the Tribal member who is the subject of the record or, if the member is a minor, then by the minor's parent or legal guardian. The member requesting the change must also provide all supporting documentation. The Enrollment Director will forward the request and appropriate documentation to the Enrollment Committee, who will then forward said

information to the Tribal Council with a recommendation for or against possible changes. The Tribal Council will render a decision within forty-five (45) business days after its receipt of the information and transmit its decision to the Enrollment Director, who will inform the Enrollment Committee of any changes directed by the Tribal Council. The Enrollment Director will then inform the Tribal member(s) by certified mail, return receipt requested, of any changes made to his or her record. The Tribal member may appeal any decision affecting their record to the General Council pursuant to Section 10.0, above.

SECTION 13.0—LOSS OF MEMBERSHIP

13.1 Relinquishment

- (a) Any Snoqualmie Indian Tribal member may voluntarily relinquish their enrollment from the Snoqualmie Indian Tribe at any time pursuant to the enrollment laws of the Tribe. A Tribal member, 18 years or older, who voluntarily relinquishes their enrollment, in their own name, with the Snoqualmie Indian Tribe shall be prohibited from seeking re-enrollment as a member of the Snoqualmie Indian Tribe.
- (b) Whenever a relinquishment is submitted for a minor Tribal member, or an incompetent, care will be taken to determine that the individual who signed the form is a Snoqualmie Tribal member and the legal custodian of the minor or incompetent affected. If both parents have custody rights over a Snoqualmie Tribal member child, and both parents are Snoqualmie Tribal members, both parents must sign a relinquishment form before relinquishment becomes effective. A custodial parent who is not a Tribal member of the Snoqualmie Tribe may not relinquish the membership of his or her child.
- (c) Applicants who have been relinquished by their parents or guardians as a minor may re-apply for membership upon reaching the age of 18 years whether or not they were enrolled as members of another organized tribe, band or Indian community, provided they relinquish from other organized tribes, bands or Indian communities.

13.2 Revocation of Membership

Membership in the Tribe may be revoked only as set forth in this section.

- (a) Grounds for Revocation of Membership. Membership may be revoked only for one of the following grounds:

- (i) Dual Enrollment. The person is an enrolled member of another organized tribe, band, or Indian community, and does not relinquish the other membership and provide proof of such relinquishment within thirty (30) business days after the Enrollment Director (with the prior approval of the Enrollment Committee) sends a letter via certified mail, return receipt requested, requiring the person to relinquish the other membership or have the person's membership in the Tribe revoked;
 - (ii) Fraud. The person's enrollment in the Tribe was procured by fraud or misrepresentation in the enrollment application process; or
 - (iii) Error. The person was determined to be eligible for membership as the result of an error in the enrollment application process, but was not actually eligible for membership.
- (b) Limitation on Action. Notwithstanding subsection (a) of this section, a person enrolled before February 24^h, 2022, will not be subject to revocation of membership on the grounds of fraud or error, and a person enrolled on or after February 24th, 2022, will not be subject to revocation of membership on the grounds of fraud or error if one (1) year or more has passed since the date of the person's enrollment in the Tribe.
- (c) Commencement of the Revocation Process. In the event that the Enrollment Director or Enrollment Committee becomes aware of credible evidence tending to indicate the possibility that grounds for revoking a person's Tribal membership may exist, the Enrollment Director may commence a review of the person's enrollment file and an investigation into other evidence relevant to determining whether such grounds may exist. The Enrollment Director will then provide all relevant information and documentation to the Enrollment Committee for its review. The Enrollment Committee will review all such information and documentation provided, and will determine, by a majority vote with a quorum present, whether the evidence establishes probable cause that one or more grounds for revocation of the person's membership exists. In the event the Enrollment Committee does find probable cause, it will promptly transmit its findings, in writing, together with all relevant information and documentation, to the Tribal Council for its consideration.
- (d) Notice; Service; Written Response. After the Enrollment Committee has presented its findings and evidence to the Tribal Council, the Council will then notify the person of the revocation proceeding via a letter sent by certified mail, return receipt requested. The letter must contain, at a minimum, a statement of the grounds for revocation alleged, a statement that there has been a finding by the Enrollment Committee of probable cause that such grounds exist, and a summary of the factual allegations and documentation supporting the existence of the grounds for revocation. The letter must also notify the person of the person's right to a hearing before Tribal Council, and of the date, time, and location

scheduled for such hearing, which date must be no sooner than thirty (30) business days after the date of the letter. The letter must also notify the person of the person's right to submit a written response no later than ten (10) business days before the scheduled hearing.

- (e) Hearing. A hearing before Tribal Council must take place within one hundred twenty (120) calendar days after the date of the letter. The hearing will be confidential and will be closed to all persons except Tribal Council, the Enrollment Committee Officers, the Enrollment Director, the person who is the subject of the revocation proceeding, and that person's witnesses and invited support person(s). The person who is the subject of the revocation proceeding will have the right at the hearing to call witnesses and present any evidence relevant to the revocation proceeding. If the person who is the subject of the revocation proceeding does not attend the hearing, Tribal Council may nevertheless proceed to consider the evidence and determine the outcome of the revocation proceeding.
- (f) Standard of Proof; Presumption of Proper Enrollment. The Enrollment Committee will have the burden of proving by clear and convincing evidence that the person's membership should be revoked. In all revocation proceedings based upon an allegation that a person was enrolled through fraud or error, there will be a presumption that the person was properly enrolled.
- (g) Decision. Following the close of the hearing, the Tribal Council will deliberate in executive session whether, based on the evidence presented, to revoke the person's membership in the Tribe. Tribal Council will decide by a majority vote with a quorum present whether to revoke the person's membership. Tribal Council must document its decision in a written resolution and must send the person a decision letter by certified mail, return receipt requested, within ten (10) business days after the hearing. The decision letter must enclose a copy of the resolution and must, at a minimum, include a statement of Tribal Council's decision, a summary of the findings of fact upon which the decision was based, and, if the decision was to revoke membership, a statement of the appeal rights as set forth in the following subsection.
- (h) Appeal. A person whose membership has been revoked may appeal to the General Council by sending a written appeal, together with any documentation in support of the appeal, to the Tribal Secretary, postmarked within thirty (30) business days after the date of Tribal Council's decision letter. The appeal to the General Council will proceed in accordance with the provisions of Section 10.0, above. The General Council's decision on appeal is final. No other appeal, whether to the Snoqualmie Tribal Court or to any other judicial or administrative body in any jurisdiction, is available.

SECTION 14.0—DISTRIBUTION OF THIS CHAPTER

To prevent confusion for applicants and others, the Snoqualmie Tribal Enrollment Act shall always be distributed as a current and conformed document. Such distribution shall not prohibit applicants, members, or other authorized persons from examining the legislative history of this Chapter.

SECTION 15.0—SEVERABILITY

In the event any portion of this Chapter is held to be unconstitutional or otherwise invalid by a court of competent jurisdiction, the remaining portions will remain in full force and effect and be presumed consistent with the Constitution and all other applicable laws.

SECTION 16.0—AMENDMENTS

The Tribal Council may amend this Chapter by a majority vote, provided a quorum is present. This Chapter supersedes and replaces any and all prior ordinances of the Tribe relating to the subject matter of this Chapter.

SECTION 17.0—NO WAIVER OF SOVEREIGN IMMUNITY

Nothing in this Chapter waives or may be interpreted to waive the sovereign immunity of the Tribe or any of its officers, employees, or agents acting within the scope of their authority.

ENACTED BY THE SNOQUALMIE TRIBAL COUNCIL ON THE 14TH DAY OF OCTOBER 2004 IN SESSION DULY MET, WITH 7 FOR, 0 AGAINST, AND 0 ABSTAINING. TRIBAL COUNCIL ACT 04-04.

CODIFIED BY THE SNOQUALMIE TRIBAL SECRETARY ON THE 21ST DAY OF OCTOBER 2008.

AMENDED BY THE SNOQUALMIE TRIBAL COUNCIL ON THE 4TH DAY OF OCTOBER 2018 IN SESSION DULY MET, WITH 6 FOR, 0 AGAINST, AND 0 ABSTAINING. RESOLUTION 174-2018.

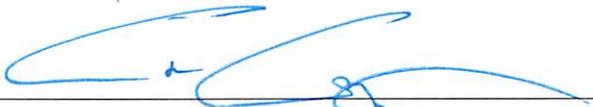
FURTHER AMENDED BY THE SNOQUALMIE TRIBAL COUNCIL ON THE 10TH DAY OF JANUARY 2019 IN SESSION DULY MET, WITH 4 FOR, 0 AGAINST, AND 1 ABSTAINING. RESOLUTION 07-2019.

FURTHER AMENDED BY THE SNOQUALMIE TRIBAL COUNCIL ON THE 25TH DAY OF JUNE 2020 IN SESSION DULY MET, WITH 5 FOR, 2 AGAINST, AND 0 ABSTAINING. RESOLUTION 123-2020.

FURTHER AMENDED BY THE SNOQUALMIE TRIBAL COUNCIL ON THE 10TH DAY OF FEBRUARY 2022 IN SESSION DULY MET, WITH 8 FOR, 0 AGAINST, AND 0 ABSTAINING. RESOLUTION 17-2022.

FURTHER AMENDED BY THE SNOQUALMIE TRIBAL COUNCIL ON THE 24TH DAY OF FEBRUARY 2022 IN SESSION DULY MET, WITH 5 FOR, 2 AGAINST, AND 0 ABSTAINING. RESOLUTION 32-2022.

CODIFIED AS AMENDED BY THE SNOQUALMIE TRIBAL SECRETARY ON THE 24TH DAY OF FEBRUARY 2022.



ACTING SECRETARY, CHRISTOPHER CASTLEBERRY