

Lovelock Paiute Tribe

P.O. Box 878
Lovelock, Nevada 89419
(775) 273-7861 Fax (775) 273-1144

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Resolution No. 02-LPT-27

RESOLUTION OF THE LOVELOCK TRIBAL COUNCIL OF THE LOVELOCK PAIUTE TRIBE GOVERNING THE TRIBAL ENROLLMENT ORDINANCE

WHEREAS, the Lovelock Tribal Council is the governing body of the Lovelock Paiute Tribe of Nevada, recognized by the federal government under the Indian Reorganization Act of June 18, 1934 (48 Stat. 984) as amended by the Act of June 15, 1935 (49 Stat. 378), and has the responsibility to exercise the privileges and powers of self government, to develop tribal ordinances for the protection and benefit of its tribal members; and,

WHEREAS, Article II, Section 2, of the Constitution of the Lovelock Paiute Tribe (LPT) provides that the official tribal membership of the tribe is a matter of tribal determination, and the Lovelock Tribal Council (LTC) has the power to enact ordinances governing the procedures to be followed on matters related to tribal enrollment; and,

WHEREAS, eligibility requirements for tribal membership needed to be clarified in regards to allotted and inherited allotments; and,

WHEREAS, this enrollment ordinance includes sections which allow the LPT Enrollment Committee to recommend actions to the LTC and to resolve LPT enrollment related business.

NOW, THEREFORE BE IT ENACTED by the Lovelock Tribal Council, that membership in the LPT and other tribal enrollment related matters shall be governed by the rules, regulations, requirements and guidelines contained in this revised LPT Enrollment Ordinance VII.

BE IT FURTHER ENACTED by the LTC that this Resolution No. 02-LPT-27 rescinds and supercedes LTC Resolution No. 2001-LPT-24, which rescinded and superceded the first, revised LPT Enrollment Ordinance VII.

CERTIFICATION

It is hereby certified that the Lovelock Tribal Council of the Lovelock Paiute Tribe, composed of five (5) members, of whom three (3) constituting a quorum, were present a regular meeting held on the 18th of June, 2002. The foregoing resolution and attached enrollment ordinance were duly adopted by the affirmative vote of 2 for, 0 against, and 0 abstentions, pursuant to the Constitution and Bylaws of the Lovelock Paiute Tribe of Nevada that was approved March 14, 1968.



Glenn Wasson, Chairman



Harry Summerfield, Secretary

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ENROLLMENT ORDINANCE OF THE LOVELOCK PAIUTE TRIBE

PREAMBLE – Authorization, Purpose and Applicability

01. Authorization: Article II – Membership, Sections 1 & 2 of the Constitution and Bylaws of the Lovelock Paiute Tribe, (referred to as the LPT except as otherwise noted) established qualifications for membership in the LPT and empowers the Lovelock Tribal Council (referred to as the LTC except as otherwise noted) to enact ordinances governing procedures and related to LPT tribal enrollment/membership.
02. Purpose: The purpose of this ordinance is to establish orderly procedures that define, regulate, and afford due process of tribal law to all eligible persons for enrollment related matters; LTC responsibilities; Enrollment Committee appointments, duties and powers; Enrollment Officer duties; and appeals.
03. Applicability: Enrollment, relinquishment, Disenrollment, adoption, and other LPT enrollment related matters shall be governed by procedures and regulations in this enrollment ordinance, supplemental to those contained in the LPT Constitution and Bylaws (referred to as the C&B except as otherwise noted).

ARTICLE I – Title and Definitions

SECTION 1 – Short Title: LPT Enrollment Ordinance

SECTION 2 – Definition of Terms

01. ADOPTED CHILD – One whose natural parent's parental rights have been terminated by a court order and given to another.
02. ADOPTED MEMBER – A 1940 LPT Colony lineal descendant, or 1940 Non-Reservation Pershing County Paiute Area descendant, not qualified for basic tribal membership under Article II-Membership, Section 1 of the LPT C&B, or other person approved for LPT Adopted Enrollment under Article X of this ordinance.
03. APPELLANT – A person appealing the LTC's rejection of the person's application for LPT basic or adopted tribal enrollment; request to rescind a Relinquishment Notice; or Disenrollment from LPT.
04. APPLICANT – The person seeking to be enrolled as a LPT tribal member.
05. BASE ROLL – The official January, 1940 Lovelock Colony Indian Census, prepared by Don C. Foster, BIA Superintendent. The Enrollment Committee and LTC, with approval of the {Deputy} Commissioner of Indian Affairs or his representative, are empowered to correct and update information on the Base Roll.
06. CONSTITUTION AND BYLAWS/C&B – The Constitution and Bylaws of the LPT of Nevada, approved March 14, 1968, and any amendments or revisions thereto.
07. COUNSEL – Attorney; advocate; spokesperson; or representative of defendant, complainant, or appellant.
08. DIRECT DESCENDANT – Persons directly descended through parental lineage from ancestors of the 1940 LPT colony and 1940 Pershing County Paiute Area Census, through whom enrollment rights are claimed.

09. DISENROLLMENT - The official action taken by the LTC to terminate tribal membership and remove an individual's name from the LPT Membership Roll.
10. DUAL ENROLLMENT - Persons who are enrolled in two or more federally recognized Indian tribes, groups, band, reservations, or colonies, etc. are declared ineligible for LPT basic or adopted enrollment.
11. ENROLLMENT APPLICATION - The form prescribed by the LTC to be completed by an applicant or legal sponsor when applying for tribal enrollment to become a member of the LPT.
12. ENROLLMENT COMMITTEE - A five-member committee authorized to recommend action to be taken by the LTC for all LPT tribal enrollment related matters.
13. ENROLLMENT OFFICER - One who provides enrollment services to tribal members, maintains the tribal enrollment records, and provides data to other tribes, agencies, or programs related to LPT tribal enrollment.
14. LOVELOCK PAIUTE TRIBE/LPT - *Persons enrolled in the LPT under Article II, Sections 1 and 2 of the LPT C&B and others enrolled under authority of the Enrollment Ordinance.*
15. LOVELOCK TRIBAL COUNCIL/LTC - The governing body of the LPT, recognized by the Federal Government of the United State of America and the U.S. Secretary of the Interior.
16. LOVELOCK TRIBAL COUNCIL SECRETARY/TREASURER/LTC S/T - The LPT or LTC member selected by the LTC to record meeting minutes and perform other duties as assigned by the LTC.
17. MEMBERSHIP REQUIREMENTS - Are as stated in this enrollment ordinance and Article II, Section 1 & 2 of the C&B of the LPT.
18. RELINQUISHMENT - the voluntary withdrawal of membership from the LPT.
19. SECRETARY OF INTERIOR/SECRETARY - The U.S. Secretary of Interior or authorized representative.
20. SOCIAL SECURITY NUMBER/SSN - The number assigned to an individual by the U.S. Social Security Administration.
21. SPONSOR - The applicant's parents, legal guardian, spouse, next of kin, or executor/administrator of a person's estate or personal affairs who is filing enrollment/membership applications or other enrollment related documents on behalf of a person because of age, mental incompetence, or absence.
22. SUPERINTENDENT - The official or designated person in charge of the Bureau of Indian Affairs, Western Nevada Agency, who has immediate limited administrative jurisdiction over LPT tribal affairs.

ARTICLE II - Membership

SECTION 1 - Membership Requirements

A. Eligibility Requirements for Basic Membership in the LPT

01. The membership of the LPT shall consist of the persons qualified under the following, provided that they possess at least $\frac{1}{4}$ degree Paiute Indian blood, and that they file an application for membership with the LTC:
 - a. All persons whose names appear on the January 1, 1940 Nevada Indian Agency Census Roll for the Lovelock Indian Colony; provided that the LTC shall have the power to correct the census roll subject to approval of the {Deputy} Commissioner of Indian Affairs.

- b. All persons who are maintaining a residence on the Lovelock Colony at the time of the adoption of the tribe's constitution. Also see Paiute blood requirements above.
- c. Descendants of person in categories (a) & (b) above. Also see blood requirements above.
- d. The initial as well as the continued membership of any person shall be contingent on the following conditions:
 1. They are not enrolled with any other Indian tribe or group.
 2. They do not hold any assignment on any other Indian lands.
 3. They have never been allotted on any other Indian Reservation.
 4. Other Indian land inheritance shall not affect the applicant's eligibility for Basic enrollment.

SECTION 2 - Tribal Enrollment Ordinance

A. Power to Enact Ordinances Concerning Tribal Enrollment Related Matters

01. The LTC shall have the power to enact ordinances governing the procedures to be followed:
 - a. When an eligible member requests to be officially enrolled into the LPT.
 - b. When a member becomes ineligible for LPT membership.
 - c. When a person wishes to be adopted by the tribe.

ARTICLE III - LPT Enrollment Committee

SECTION 1 - Establishment, Compensation and Quorum

A. Establishment

01. There is an established LPT Enrollment Committee appointed by the LTC. The Enrollment Committee shall hereinafter be referred to as Committee, except as otherwise noted.
02. The standing Committee is composed of five (5) members of the LPT.
03. The Committee will elect a Chairman, Vice-Chairman, and Secretary at the first meeting for each election.
04. The Committee will serve for indefinite terms until replaced by the LTC.

B. Compensation

01. Committee members are entitled to receive compensation, such as mileage and per diem payments for training sessions, lodging and some stipend pay.
02. Such compensation shall be dependent on the availability of funds.

C. Quorum

01. The Committee consists of five (5) members, of whom three (3) members shall constitute a quorum in which to transact business.
02. If a vacancy occurs, the remaining members may exercise all the Committee powers until it is filled.

SECTION 2 - General Duties and Powers of the Enrollment Committee

A. General Duties-The Enrollment Committee Duties Shall be to:

01. Review all applications and documents for enrollment in the LPT.

02. Review all applications and documents for adopted tribal enrollment into the LPT.
 03. Review all Relinquishment Notices from LPT tribal members.
 04. Review all requests to rescind Relinquishment Notices for LPT tribal membership.
 05. Review all pertinent data for Disenrollment from the LPT.
 06. If necessary, review the 1940 Lovelock Colony & 1940 Non-Reservation Pershing County Paiute Area Census Rolls; LPT Membership & Base Rolls to determine LPT lineal descent of applicants.
 07. Review and verify Lovelock Paiute/Other Paiute blood and other Indian Degree of the applicant to determine eligibility for LPT basic or adopted tribal enrollment.
 08. Make recommendations to the LTC to approve or disapprove items 01-05 above, where applicable, after reviewing documents related to those items.
 09. Meet often to prevent accumulation of any LPT enrollment related matters.
- B. General Powers-The Enrollment Committee/Coordinator Shall Have the Following Authority:
01. To request data on parents enrolled elsewhere, from the applicant, tribes, or agencies involved, determining the applicant's eligibility to enroll in the LPT.
 02. To request prior Indian Census Rolls from the BIA, WNA, to help determine the eligibility of applicants to enroll for membership in LPT.
 03. To recommend the LTC approve or disapprove LPT enrollments or other enrollment related matters.
 04. To hold a hearing when a member submits a written request, contesting Disenrollment from the LPT, prior to submitting a written recommendation to the LTC.
 05. To request that the LTC enforce the rules and regulations in conformity with this LPT Enrollment Ordinance.

SECTION 3 - Review, Evaluation and Recommendations

A. Review and Evaluation Process

01. The committee will review and evaluate all enrollment related documents.
02. It will recommend the LTC approve or disapprove applications for LPT basic or LPT adopted tribal enrollment; request to rescind a person's LPT Relinquishment Notice; or LPT Disenrollment.
03. Other documents may be requested from those persons, a complainant; other tribes or agencies involved.
04. Findings will be kept CONFIDENTIAL until the LTC approves, or disapproves the matter by resolution.
05. The findings may be examined, upon written request by the applicant or the applicant's sponsor.

ARTICLE IV - Enrollment Procedures

SECTION 1 - LPT Tribal Enrollment Procedures

A. Obtaining and Filing Enrollment/Membership Applications

01. Persons eligible for LPT membership must file application forms prescribed by the LTC.
02. Upon written or verbal request, the Enrollment Coordinator will furnish application forms to any person eligible for LPT tribal enrollment/membership.
03. Applications shall be filed with the Enrollment Coordinator.
04. The Enrollment Coordinator shall have the primary responsibility for the issuance, recording and filing of all application forms.

B. Sponsoring an Application for Enrollment on Behalf of Another Person

01. A sponsor shall be as defined in Article I - Title and Definitions, Section 2 - Definition of Terms, 21.
02. An applicant may be filed by an official sponsor on behalf of:
 - a. A minor
 - b. A mental incompetent
 - c. An absent person away at school
 - d. A person who is serving in the military or member of such family
 - e. A person who is distantly employed or member of such family
 - f. Any other eligible person in need of assistance.

C. The Burden of Proof of Eligibility for Enrollment/Membership in the LPT Shall be:

01. Providing documents and other evidence proving eligibility shall always be the responsibility of the applicant or the applicant's legal sponsor.
02. However, the Enrollment Coordinator [may] help the applicant to acquire certain documents of proof that [could not be obtained by the applicant from other tribes or agencies].

D. Acknowledging Receipt of Applications/Documents from the Applicant

01. The Enrollment Coordinator shall acknowledge receipt of applications/documents.
02. The letter shall state the time frame for processing the applications.
03. The Enrollment Coordinator/Committee shall notify the applicant that the application process will be delayed if additional documents are needed.

E. Review, Evaluation and Recommendations

01. The Enrollment Coordinator/Committee shall, within thirty (30) days of receipt of all requested documents:
 - a. Review all documents to determine eligibility for LPT membership.
 - b. Prepare a written evaluation and recommendation to the LTC, to approve or disapprove the application.

SECTION 2 - LPT Enrollment Application Form

- A. The enrollment application form shall be the form prescribed by the LTC.

B. Other Documents to be Submitted with Applications

01. Applicants must complete the Family History Chart printed on reverse of the application.

02. Applicant is required to provide an acceptable document of birth. (See Art. IV, Sec. 3, A, 01).
 03. Applicants are required to include a copy of their Social Security card.
- C. Proof of Paternity
01. Proof of paternity for Indian blood degree of a child, whose father is undetermined, shall be one of three legal documents:
 - a. Notarized statement signed by the father acknowledging paternity
 - b. Official court decree that states the father's name
 - c. Official findings of a probate examiner that states the father's name
- D. LTC Policy Regarding Enrollment Related Matters
01. LTC closed door sessions shall be held to determine enrollment matters.
 02. Any decisions of the LTC in approving or denying enrollment or disposing of an enrollment related matter shall be decided only by a majority vote of an official LTC quorum.
 03. The LTC, by a majority vote, may disapprove an application for membership of any person for cause, including misrepresentation or omission of data on the enrollment application forms.
 04. The LTC may have the Committee request other evidence from the applicant to support or prove the applicant's eligibility for LPT tribal enrollment/membership.
 05. The LTC will take final action upon all applications within sixty (60) days after receipt of the evaluations and recommendations from the Enrollment Coordinator/Committee.
 06. Such resolutions will be prepared by the Enrollment Coordinator and certified by the LTC Chairman or Vice-Chairman, within five (5) working days after the LTC decision.
 07. The LTC secretary shall keep records of all proceedings at such meetings.
- E. Notification to Applicant
01. Approval of Applicant by the LTC
 - a. Enrollment Coordinator shall notify the applicant within ten (10) working days after the LTC decision.
 - b. Copies of the LTC resolution approving LPT enrollment shall be sent to: the applicant, the tribe applicant relinquished from (if applicable), and to other agencies and groups that may be involved.
 02. Disapproval/Rejection of Applicant by the LTC
 - a. The person will be notified in writing by Certified Mail, Return Receipt Requested.
 - b. Any eligible applicant rejected for LPT enrollment may file an appeal with the LTC.

SECTION 3 – Burden of Proof

- A. The burden of proof rests upon the applicant or his sponsor to establish his or her eligibility for LPT tribal enrollment. Documentary evidence to support the applicant's right for such enrollment shall consist of birth documents, name change documents, death documents of lineal ancestors if necessary, tribal records, Bureau of Indian Affairs (BIA) Indian Census Records, BIA school records, military records, church records, and/or notarized affidavits of older Indians.

B. Acceptable Documents of Birth

- a. Officially signed copy of Certified State Issued Birth Certificate from Vital Statistics
- b. Officially signed copy of Hospital, Clinic or Doctor's records
- c. Officially signed copy of Baptismal Certificate with date of birth, place of birth, parents and witnesses – if not born in a hospital and (a) or (b) is unobtainable.

C. Acceptable Documents of a Name Change

- a. Legally altered Copy of Certified State issued Birth Certificate
- b. Copy of official County Recorded Marriage Certificate (not license)
- c. Copy of official County Recorded Final Divorce Decree
- d. Copy of officially approved, signed and dated Court Documents

D. Acceptable Documents of Death

- a. Copy of original Certified State Issued Death Certificate
- b. Copy of original Certified Mortuary Records
- c. Copy of funeral director's Certified Official Records
- d. Copy of officially signed and recorded hospital, clinic, or doctor's records
- e. Newspaper obituary section, if the date of death is noted within the section and the date of death is correct, along with the location of burial
- f. Affidavit signed by Enrollment Coordinator who saw the legible grave marker and noted date of death.

ARTICLE V – Policy for Relinquishment

SECTION 1 – Acceptable Documents of Relinquishment from the LPT

- A. The only acceptable document will be a relinquishment form prescribed by the LTC.
01. The Enrollment Coordinator shall provide the form to enrolled members, upon request.
 02. The member must complete the form and have it witnessed by a Notary Public
 03. The member must send the original notarized relinquishment notice to the LPT Enrollment Coordinator.
 04. Notice requires Notary's inked stamp/seal for copy purposes. Countries with raised stamps/seals are exempt.
- B. All LPT relinquishments previously approved by the LTC, prior to approval of this revised LPT Enrollment Ordinance No. VII, are declared valid.

SECTION 2 - Relinquishment Guidelines

- A. LPT relinquishments are effective:
 - 01. The date other Indian tribe approves the applicant for tribal membership by tribal council resolution.
 - 02. As requested by the applicant on the Notice of Relinquishment
- B. All LPT Tribal membership relinquishments shall be final, except:
 - 01. Minors whose parent or legal guardian relinquished the minor's LPT membership and enrolled the minor into another tribe. This minor may apply for LPT enrollment upon becoming eighteen (18) years of age.
 - 02. When a person relinquished membership in the LPT and was not accepted into another Indian tribe, band, rancheria, colony, reservation, etc.
 - 03. If an adult relinquished LPT membership and it becomes final, future LPT enrollment shall be denied.
- C. The LTC shall not deny relinquishment if all documents are completed and submitted by the applicant.

SECTION 3 - Notice of Relinquishment Form Requirements

- A. The official LPT relinquishment form shall contain the following:
 - 01. Instructions to have the request witnessed by a Notary Public and that the relinquishment notice will not be valid unless it is notarized.
 - 02. Name and Roll Number of member relinquishing membership/rights in the LPT.
 - 03. Name of the tribe where the individual plans to apply for tribal membership, or other explanation.
 - 04. The effective date the LPT membership is cancelled. The applicants will chose from Date the LTC receives completed form, date the LTC approves the completed form, or date other tribal council approves enrollment for applicant.
 - 05. Reason(s) why the relinquishment is being requested.
 - 06. Statement that the member signed the relinquishment voluntarily and fully understands the consequences of renouncing LPT membership. Minors may apply for enrollment in the LPT at 18 years of age.
 - 07. Statement that the member understands if he/she is not officially accepted into another tribe, they may request the relinquishment be rescinded, and that their LPT membership be reinstated, with no restrictions. Such member shall be eligible for all Indian benefits as before the relinquishment.
 - 08. Signature of relinquishing LPT member, or if a minor child or person requiring assistance, the parent or legal guardian's signature, and date signed.
 - 09. Date, place, signature and inked stamp or seal of Notary Public witness (for copying purposes). Redo the notice if stamp or seal is not in ink. Countries using raised stamp or seal shall be exempt.

10. Maiden name, if applicable, and/or other names used, last date, gender, address and phone number (optional) of person relinquishing membership.

SECTION 4 - Relinquishment Review and Recommendation

- A. The LPT Enrollment Committee shall:
 01. Review the Notice Relinquishment to assure Notary signs; dates and uses ink notary stamp or seal for copying purposes. Redo it the stamp or seal is not in ink. Countries using raised stamp or seal are exempt.
 02. Check notice to assure the individual signs proper signature and enters the date it was signed.
 03. Assure that the Enrollment Coordinator received the completed original relinquishment notice.
- B. The LPT Enrollment Coordinator shall:
 01. Provide copy of the LTC resolution approving LPT relinquishment to the individual and other tribe(s) and agencies that may be involved, if applicable.
 02. Insure that all pertinent relinquishment related documents are placed in the individual's file, i.e. copies of resolution and notice, letters, etc.
 03. Place person's relinquishment file in the appropriate file cabinet drawer and/or computer file.

ARTICLE VI - Disenrollment Procedures

SECTION 1 - Burden of Proof and Reasons for Disenrollment

- A. Providing proof to disenroll a tribal member is always the LTC's responsibility.
- B. Reasons for Disenrollment include, but are not limited to:
 01. Dual Enrollment - If a tribal member is found to be dually enrolled and the member refuses to relinquish membership in either tribe, the LPT shall initiate Disenrollment procedures.
 02. Falsification - If a person is enrolled due to false information, the LPT has grounds for Disenrollment and may initiate Disenrollment procedures. The Committee may resolve this only if the applicant provides proof of eligibility for tribal enrollment. Copies will be placed in the applicant's file folder.
 03. Error - If enrollment is due to error, or erroneous data, and a person is ineligible for LPT membership, the Committee shall refer the enrollment matter to the LTC for the governing body's decision.
 04. The Committee/Coordinator shall provide documented proof to the LTC to help determine action to be taken.

SECTION 2 - LPT Disenrollment Procedures

- A. Prior Notice of LPT Disenrollment
 01. The Enrollment Coordinator shall send a written notice by Certified Mail, Return Receipt Requested.
 02. The notice shall state the reasons why the person is to be disenrolled from the LPT.

03. The notice will inform the person of their right to explain at a hearing, why he/she should not be disenrolled from the LPT.
 04. The person being disenrolled will have thirty (30) days from the date of receipt of the notice to request a hearing with the LPT Enrollment Committee.
- B. Hearing
01. At a hearing before the Committee, the person will state why he/she should not lose the right to LPT tribal membership.
- C. Evaluation and Recommendation
01. After the hearing, the Committee and Coordinator will evaluate each case, along with all proper documentation, including the verification of Indian blood degree.
 02. The Committee/Coordinator shall prepare a written evaluation and recommendation to the LTC as to whether the person should or should not be disenrolled. The Enrollment Coordinator shall present it to the LTC.
- D. Final Decision of the LTC
01. The LTC shall approve a resolution to officially disenroll a member, if that is the LTC's final decision.
 02. The resolution shall be prepared by the Enrollment Coordinator and shall contain the following information:
 - a. The reasons why the person was disenrolled
 - b. The effective date of the disenrollment
 03. The LTC Chairman, or Vice Chairman, shall certify the resolution within five (5) working days after the LTC decision.
 04. The disenrolled person will be notified by Certified Mail-Return Receipt Requested
 05. A copy of the LTC resolution will be included with the letter to the person disenrolled and sent within ten (10) working days after the LTC decision.
 06. The letter will inform the disenrolled person of his/her right to appeal the decision back to the LTC.
 07. Accurate records of a disenrollment must be kept from the beginning to the end.

ARTICLE VII - Appeals

SECTION 1 - Appeals to the Tribal Council

- A. Persons who have the Right to Appeal a LTC Decision
01. Any such eligible person or sponsor filing an application for LPT basic or adopted enrollment, or request to rescind a Relinquishment Notice which was rejected by the LTC.
 02. Any eligible LPT descendant who has been disenrolled from the LPT by a decision of the LTC.
- B. Appeal Procedures
01. The appellant shall have thirty (30) days from the date of receipt of the LTC rejection, or disenrollment notice, to appeal such decision back to the LTC.

02. The appeal include any supporting evidence not previously furnished and may include affidavits from person having personal knowledge of the fact.
03. The person may be represented by a counsel at his or her own expense.

ARTICLE VIII - Membership Roll

SECTION 1 - Preparation of the LPT Membership Roll

- A. A Basic Membership Roll will be prepared from applications of eligible persons who meet the requirements of Article II - Membership, of the LPT C&B, and which are approved by the LTC. The roll will be prepared on the forms prescribed by this ordinance. The roll shall contain the following information:

- | | |
|-----------------------------------|---|
| 01. Base Roll Number | 07. Other Paiute Indian Blood Degree |
| 02. Tribal Membership Roll Number | 08. Total Paiute Indian Blood Degree |
| 03. Name | 09. Other Tribe(s) and Total Indian Blood Degree |
| 04. Gender | 10. The Authority for Enrollment |
| 05. Birth Date | 11. Names of Parents, Grandparents, etc. - Tribes and |
| 06. Lovelock Paiute Blood Degree | Indian Blood Degree |

SECTION 2 - Maintenance of the LPT Membership Roll

- A. Procedures for maintenance of the LPT Membership Roll shall be:
01. The Enrollment Coordinator will update the LPT Membership Roll periodically.
 02. New approved members' names shall be added to the LPT Membership Roll.
 03. Relinquished names are removed from the roll, but keep the number. Resurrection dates will be noted.
 04. Deceased names shall be deleted, but leave the roll number, gender, and birth date. Add deceased date.
 05. All previous LPT Membership Rolls shall be kept on file, for reference, to help determine an applicant's eligibility to apply for enrollment in the LPT.

ARTICLE IX - Base Roll

SECTION 1 - Preparation of the LPT Base Roll

- A. A Base Roll shall be prepared from the January 1, 1940, Lovelock Colony Indian Census Roll. The roll shall contain the following information:

- | | |
|----------------------------------|--|
| 01. Base Roll Number | 07. Other Paiute Indian Blood Degree |
| 02. Name | 08. Total Paiute Indian Blood Degree |
| 03. Gender | 09. Other Tribe(s) & Total Indian Blood Degree |
| 04. Birth Date | 10. The Authority for LPT Enrollment |
| 05. Date of Death | 11. Names of Parents, Grandparents, etc. and other |
| 06. Lovelock Paiute Blood Degree | and other pertinent notations. |

SECTION 2 - Maintenance of the LPT Base Roll

- A. Procedures for maintenance of the LPT Base Roll shall be:
01. Deceased - Add deceased date. Make other documented corrections on the roll.

02. Relinquished disenrolled – Add Council Resolution numbers and dates. Make other documented corrections.

ARTICLE X – LPT Adopted Enrollment

SECTION 1 – LPT Adopted Enrollment of LPT Descendants

- A. Paiute descendants who do not meet LPT Basic membership requirements under Article II, of the LPT C&B, may be considered for LPT Adopted Enrollment. The burden of proving LPT descent is upon the applicant.
- B. LPT Descendant Eligibility for LPT Adopted Enrollment
 1. The applicant must meet the requirements as defined under Article I, Sec. 2, 02 – Adopted Member.
 2. The applicant is not enrolled in any other Indian tribe or group.
 3. The applicant does not hold an assignment on any other Indian reservation.
 4. The applicant has never been allotted on any other Indian reservation.
 5. Other Indian land inheritance shall not affect the applicant's eligibility for LPT adopted enrollment.

SECTION 2 – LPT Adopted Enrollment of other Paiute Indians

- A. The LTC may approve LPT adopted enrollment of other Paiute Indians.
 1. The burden of proof of Paiute Indian blood shall be upon the applicant.
 2. The applicant must submit completed forms and other documents to the Enrollment Committee/Coordinator.
 3. Applicant must meet the same adoption requirements as stated under Article X, Sec. 1, B, 01 to 04.
 4. Other Paiute Indians who are under $\frac{1}{4}$ Paiute blood, and approved for LPT Adopted Enrollment shall have restricted LPT enrollment/membership.

SECTION 3 – LPT Adopted Enrollment of a LPT Member's Spouse

- A. The LTC may approve LPT adopted Enrollment of a LPT member's spouse.
 1. Applicants shall be at least $\frac{1}{4}$ Native American Indian blood.
 2. The burden of proof of Indian blood degree shall be upon the applicant.
 3. The applicant must submit completed forms and other documents to the Enrollment Committee/Coordinator.
 4. Applicant must meet the same adoption requirements as stated under Article X, Sec. 1B, 01 to 04.
 5. Applicants approved for LPT Adopted Enrollment shall have restricted LPT enrollment/membership.

SECTION 4 – Documents to be Submitted for LPT Adopted Enrollment

- A. The following forms and documents are to be submitted to the Enrollment Committee/Coordinator.
 1. Completed LPT Enrollment Application and Family Tree Chart.

2. An acceptable document of Birth listed under Article IV, Sec. 3A, 01, of this ordinance.
3. Copy of Social Security Card.
4. Name Change: An acceptable document listed under Article IV, Sec. 3A, 02 of this ordinance.
5. Documents from tribes or BIA agencies, or affidavits of tribal elders, officially accepted and recognized by the Committee as proof of the applicant's Native American blood degree.

SECTION 5 - Benefits for Persons with LPT Adopted Enrollment

- A. Benefits: Paiutes with LPT adopted tribal enrollment are eligible for IHS, BIA, LPT Housing, Lot/Land Assignments, monetary and other benefits.
 1. Paiutes with LPT adopted enrollment, $\frac{1}{4}$ Paiute blood or more, shall have full tribal membership.
 2. Paiutes with LPT adopted enrollment, under $\frac{1}{4}$ Paiute blood, shall have restricted tribal membership.

SECTION 6 - Restrictions for Persons with LPT Adopted Enrollment

- A. Paiutes with LPT adopted enrollment who are under $\frac{1}{4}$ Paiute blood shall not serve on the LTC, and shall not vote in any tribal election. They shall not serve on the Enrollment Committee, Election Committee, or other committees determined by the LTC. Persons under $\frac{1}{4}$ Paiute blood degree shall be listed on a separate LPT in-house member roll to avoid problems with the eligible voter's list and other lists.

SECTION 7 - Appeal for Persons rejected for LPT Adopted Enrollment

- A. Any eligible applicants rejected for LPT adopted enrollment may file an appeal with the LTC.

ARTICLE XI - Request to Rescind LPT Relinquishment Notice

SECTION 1 - Request to Rescind Relinquishment Notice

- A. Person Who May Request a LPT Relinquishment Notice be Rescinded.
 1. Persons granted conditional LPT relinquishment but not officially accepted into another tribe.
 2. Persons whose parent or legal guardian relinquished the person's LPT membership when he/she was a minor. The person may apply for enrollment in the LPT upon becoming eighteen years of age.
- B. Documents to be Submitted to the Enrollment Committee/Coordinator
 1. Letter requesting the relinquishment notice be rescinded to included return address, date and signature of requester.
 2. If necessary, an affidavit from that tribe stating the applicant was not accepted into that particular tribe.
 3. Enrollment application, copy of birth record, copy of SSN card and other requested documents, if not on file in the LPT Enrollment Office.

C. Review/Recommendations

1. The Committee will review the request to rescind relinquishment and any supporting documents.
2. The committee will recommend the LTC approve or disapprove the request.
3. The Enrollment Coordinator will notify each applicant of the Council's decision.

D. Benefits

1. If the LTC approves an eligible person's request to rescind relinquishment, the person's LPT tribal enrollment will be reinstated. Tribal benefits are determined by the persons' Paiute blood degree.

E. Appeal

1. If the request to rescind a relinquishment notice is rejected by the LTC, the person may file an appeal with the LTC. See Appeals, Article VII, in this ordinance.

ARTICLE XII - Dual Enrollment

SECTION 1 - Dual Enrollment of LPT Members

- A. Dual enrollment of LPT members in another tribe, reservation, colony, band, etc., is strictly prohibited.
1. Any LPT member enrolled in two or more tribes shall be given an opportunity to relinquish tribal membership from the LPT or the other tribe(s).
 2. If the member refuses to relinquish membership from the LPT, or the other tribe(s), disenrollment action shall be initiated by the LPT. See Article VI of this ordinance.

ARTICLE XIII - Effective Date of LPT Enrollment Ordinance and Severability

SECTION 1 - Effective Date of LPT Enrollment Ordinance

- A. This revised LPT Enrollment Ordinance No. VII becomes effective when approved by a majority vote of an official LTC quorum at an official LTC meeting, and shall rescind and supersede any prior LPT Enrollment or Membership ordinance and its accompanying resolutions, if any.

SECTION 2 - Severability

- A. It is the intent of the LTC that if any section, subsection, or subparagraph(s) of this Enrollment Ordinance is declared invalid, that all remaining sections, subsections, and subparagraphs of the Tribal Enrollment Ordinance nevertheless shall remain in full force and affect.

ARTICLE XIV - Authorization to Review Base and Membership Rolls

SECTION 1 - Persons Authorized to Review Tribal Base and Membership Rolls

- A. The LTC shall be authorized to review the LPT Base Rolls and LPT Membership Roll, when applicable, to resolve:
1. Eligibility of persons for all LPT enrollment ordinance related matters.
 2. Eligibility of persons for all LPT election ordinance related matters
 3. Eligibility of a person to serve on the LPT Enrollment Committee.
 4. Eligibility of a person to serve on the LPT Election Committee.

5. Eligibility of person to serve on other LPT committees, boards, etc.
 6. Other enrollment ordinance related matters.
 7. Other election ordinance matters concerning LPT tribal enrollment.
 8. Other LPT tribal ordinances concerning LPT tribal enrollment.
 9. Any other tribal enrollment related matters, if applicable.
- B. The Enrollment Committee and Enrollment Coordinator are authorized to review the LPT Base and Membership Rolls in order to resolve:
1. Eligibility of persons for all LPT enrollment related matters.
 2. All other LPT tribal enrollment/membership related matters.
- C. The LPT Election Committee shall be authorized to review ONLY certain parts of the LPT Tribal Base Roll and LPT Tribal Membership Roll, when applicable, to resolve:
1. The eligibility of a person to be a candidate for the LTC, upon receipt of a valid challenge.
 2. The eligibility of a person to vote in tribal elections, upon receipt of a valid challenge.
 3. Other election ordinance matters concerning LPT Tribal Enrollment.
- D. The LTC, the LPT Enrollment Committee, and the LPT Election Committee shall treat such data as CONFIDENTIAL INFORMATION.
- E. No extra copies of the Tribal Base or Membership Rolls shall be made without prior approval of the LTC, except for the working copy used by the Enrollment Coordinator.
- F. The Tribal Rolls and other enrollment related documents should be returned to the Enrollment Coordinator after each review.

Acknowledged: _____

Superintendent, Western Nevada Agency

AUG 06 2002

Date _____

COPY

Lovelock Paiute Tribe

P.O. Box 878
Lovelock, Nevada 89419
(775) 273-7861 Fax (775) 273-1144

Resolution No. 02-LPT-27

RESOLUTION OF THE LOVELOCK TRIBAL COUNCIL
OF THE LOVELOCK PAIUTE TRIBE
GOVERNING THE TRIBAL ENROLLMENT ORDINANCE

WHEREAS, the Lovelock Tribal Council is the governing body of the Lovelock Paiute Tribe of Nevada, recognized by the federal government under the Indian Reorganization Act of June 18, 1934 (48 Stat. 984) as amended by the Act of June 15, 1935 (49 Stat. 378), and has the responsibility to exercise the privileges and powers of self government, to develop tribal ordinances for the protection and benefit of its tribal members; and,

WHEREAS, Article II, Section 2, of the Constitution of the Lovelock Paiute Tribe (LPT) provides that the official tribal membership of the tribe is a matter of tribal determination, and the Lovelock Tribal Council (LTC) has the power to enact ordinances governing the procedures to be followed on matters related to tribal enrollment; and,

WHEREAS, eligibility requirements for tribal membership needed to be clarified in regards to allotted and inherited allotments; and,

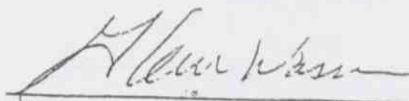
WHEREAS, this enrollment ordinance includes sections which allow the LPT Enrollment Committee to recommend actions to the LTC and to resolve LPT enrollment related business.


NOW, THEREFORE BE IT ENACTED by the Lovelock Tribal Council, that membership in the LPT and other tribal enrollment related matters shall be governed by the rules, regulations, requirements and guidelines contained in this revised LPT Enrollment Ordinance VII.

BE IT FURTHER ENACTED by the LTC that this Resolution No. 02-LPT-27 rescinds and supercedes LTC Resolution No. 2001-LPT-24, which rescinded and superceded the first, revised LPT Enrollment Ordinance VII.

CERTIFICATION

It is hereby certified that the Lovelock Tribal Council of the Lovelock Paiute Tribe, composed of five (5) members, of whom three (3) constituting a quorum, were present a regular meeting held on the 18th of June, 2002. The foregoing resolution and attached enrollment ordinance were duly adopted by the affirmative vote of 2 for, 0 against, and 0 abstentions, pursuant to the Constitution and Bylaws of the Lovelock Paiute Tribe of Nevada that was approved March 14, 1968.


Glenn Wasson, Chairman


Harry Summerfield, Secretary