



BISHOP PAIUTE TRIBE ENROLLMENT POLICY AND PROCEDURE MANUAL

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SECTION 1.0: PURPOSE

The Bishop Paiute Tribe's Enrollment Department is responsible for developing, in accordance with the Tribe's Enrollment Ordinance of 1996, the Enrollment Policy and Procedure Manual.

- 1.1 The Tribal Enrollment Department shall work along with the Tribal Enrollment Committee. Please refer to the approved "Bylaws of the Enrollment Committee" for information regarding the Committee's roles and responsibilities.

SECTION 2.0: ENROLLMENT ORDINANCE ELIGIBILITY CRITERIA

- 2.1 In accordance with the Tribe's Enrollment Ordinance of 1996, Article II, Section 2, those who wish to be considered for membership in the Bishop Paiute Tribe must meet eligibility criteria:
 - a. A Lineal Descendant of a Base Roll Member, established by the Enrollment Ordinance.
 - b. Any person applying for membership who qualifies under Article II, Section 2a of the Enrollment Ordinance who is enrolled in another tribe may enroll provided they relinquish their membership with their current Tribe and meet all membership criteria listed in section 2.0 of this policy.
- 2.2 In accordance with the Tribe's Enrollment Ordinance of 1996, Article III, Section 1a, those applicants who fall into the following categories will not be considered for membership:
 - a. Any adult person who has accepted money, allotment of land (except through Federal claims settlement or inheritance), or received a land use assignment as a recognized or enrolled member of another federally recognized tribe;
 - b. Any person who has been terminated (disenrolled) from a federally recognized tribe;
 - c. Any person who has not relinquished in writing all membership rights of another federally recognized tribe.

SECTION 3.0: ENROLLMENT APPLICATIONS

- 3.1 Every person who is a lineal descendant of a member on the Base Roll is eligible to file an application for membership.
- 3.2 Applications for minors may be filed by their parents or legal guardians.
- 3.3 Applicants who are minors may file on their own behalf if they are married or emancipated.
- 3.4 Minors are authorized to apply for membership for their own children.

SECTION 4.0: APPLICATION REQUIREMENTS

Below are the application requirements that need to be met for an enrollment application to be approved by the Enrollment Committee. The burden of proof shall be upon the applicant to establish their eligibility for enrollment pursuant to the Tribe's Enrollment Ordinance and the Enrollment Policy and Procedures. All applications are reviewed by the Enrollment Committee and the Tribal Council.

- 4.1 The Enrollment Department shall provide a numbered application form to each applicant for enrollment.
- 4.2 The Enrollment Department shall log each application form issued to the applicant. This log shall state the number of the application form, the name of the applicant, and the date the application was issued.

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- 4.3** Applications will only be accepted if they are complete and contain initial supporting documentation, such as a completed family tree and/or applicant's birth certificate. The Enrollment Department will date-stamp the application and log the date of submission and documents received.
- 4.4** All documents must include consistent names and spelling to be valid for use in an application. If a discrepancy is found within the documents provided, the applicant will be notified with the specific justification needed to rectify the discrepancy, such as an amended birth certificate, marriage license or a court order reflecting a legal name change.
- 4.5** Completed applications must include:
- a. All applications received by mail must be notarized;
 - b. All applications must include a copy of either the applicant's photo ID, or a copy of the photo ID of the person submitting the application on behalf of a minor/incapacitated adult;
 - c. A verified copy of an original state or county certified birth certificate will be required for the applicant;
 - d. A birth certificate or a death certificate from the applicant's descendant(s) connecting them to a Base Roll member.. These documents can be copies and not an original copy;
 - e. A verified copy of a Social Security card will be required as part of the application process. The applicant's Social Security number will be on file for issuing any future Tribal membership benefits.
 - f. All minor applications are required to have a "Child Custody Questionnaire" form completed that identifies any court orders pertaining to the minor applicant;
 1. The Child Custody Questionnaire form will require notarized signatures of both parents, unless documentation is provided that established full legal and physical custody/guardianship to the parent filing the application.
 2. Additional documentation such as a child custody order, adoption order, legal guardianship order will be required, if applicable.
 3. An ICWA Emergency Enrollment Request Form submitted pursuant to Section 7 can be submitted in lieu of a Child Custody Questionnaire.
 4. If a parent is incarcerated, incompetent deceased or for whatever reason is unavailable, the remaining parent or guardian must fill out a Declaration Form, documenting the circumstances preventing both signatures.
 - g. Because dual enrollment is prohibited (see Section 6.2), an applicant must identify if they have ancestral ties to other federally recognized Tribes, including Canadian-recognized First Nations; non-enrollment verification letters from applicable Tribes must be included in application.
 - h. A completed DNA test, linking the applicant to the tribal family of whom they are applying under.

SECTION 5.0: DNA TESTING

- 5.1** DNA testing will be required of all applicants once all other documentation is received by the Enrollment Department for a pending enrollment application. DNA appointments will be made starting with the oldest date-stamped application.
- 5.2** DNA testing results will only be accepted if scheduled by the Bishop Paiute Tribe's Enrollment Department or conducted pursuant to a court order.
- 5.3** The Enrollment Department will coordinate DNA scheduling of all pending applicants. Once an applicant has missed two (2) consecutive appointments, or they have rescheduled three (3) consecutive times, they will be placed at the bottom of the scheduling list. If the Base Roll member has not been contacted, the application will remain active until contact is made with the member, or the application is "Administratively Closed."

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- 5.4** DNA testing between the applicant and the Base Roll member-linked parent is preferred. If the parent is unavailable, then other tribal family links can be utilized for DNA testing, in the following order:
- Grandparent with same Base Roll member link (verified by birth certificate); if not available, then
 - Siblings with same Base Roll Member-linked parent (verified by birth certificate); if not available, then
 - Aunt/Uncle with same Base Roll Member-linked parent as the applicant's parent (verified by birth certificate); if not available, then
 - Another member of the family with the ability to show verifiable DNA testing results, as approved by the Enrollment Committee.
- 5.5** In order to meet the DNA requirement, the DNA results must affirm biological link to the tribal family of which the applicant is trying to enroll under. The person who tests with the applicant does not have to be a member of the Bishop Paiute Tribe if they meet the requirements of Section 5.4.
- 5.6** The cost of DNA testing is the responsibility of the applicant. All payments will be made to the Bishop Paiute Tribe's Fiscal Department. DNA testing rates are negotiated between the Tribe and a third-party vendor.
- 5.7** All payments made for completed DNA tests are not eligible for reimbursement.
- 5.8** The DNA results shall be treated as confidential. Upon receipt, a copy of the results shall be placed in the applicant's file.

SECTION 6.0: PROCESSING APPLICATIONS

- 6.1** The Enrollment Department shall always demonstrate neutrality while processing applications. This includes ensuring that the "burden of proof" (completion of an application) remains with the applicant. All assistance in the completion of an application will be in accordance with the Enrollment Policy and Procedures, and staff should avoid any appearance of favoritism in processing applications.
- 6.2** Dual Enrollment is prohibited by the Bishop Paiute Tribe. The Enrollment Department will be responsible for requesting letters of non-enrollment verification from other Federally Recognized Tribes. The applicant can assist in requesting letters of non-enrollment verification, but they must be mailed or emailed directly to the Enrollment Department by a Tribal Representative. All non-enrollment verification letters must be dated after the date an application is given to the applicant.
- Enrollment staff will determine if any non-enrollment verification letters will be required by researching the Enrollment Department's database software and/or the Family Tree information that is submitted with the application.
 - An applicant can contest the need for non-enrollment verification to the Enrollment Committee in writing. The burden then shifts to the Enrollment Department to present evidence as to why a non-enrollment verification from a Tribe/First Nation is required. The Enrollment Committee will make a final determination on the record, and the applicant will be given a written response of that determination within 15 business days via certified mail.
 - If the Tribe in question requests the Enrollment Department to provide the applicant's documentation, i.e. a birth certificate, written permission must be provided to the Department from the applicant to share that document for the sole purpose of confirming they are not enrolled with that Tribe.
- 6.3** Conditional Relinquishments. Once an applicant is determined by the Enrollment Committee to be eligible for enrollment, the applicant may provide the Department with a Conditional Relinquishment verification letter,

stating they will relinquish their membership with their current Tribe upon notification from the Enrollment Committee that the Tribal Council intends to approve the application, contingent upon relinquishment of membership with their current Tribe. Once the Enrollment Committee receives verification the applicant has relinquished membership with their current Tribe, the application will then be given to the Tribal Council for final approval.

- 6.4 All applications in process shall be tracked by the Enrollment Department. The Enrollment Department will notify all applicants of the information or documents required for completion of their application. All communications with applicants will be documented.
- 6.5 Completed applications shall be forwarded to the Enrollment Committee for their review and recommendation for approval to the Tribal Council. Any additional information needed to make a decision on an application will be communicated to the applicant by the Enrollment Department.
- 6.6 If the Enrollment Committee makes a recommendation on an application, the Enrollment Department will forward the application to the Tribal Council for review. The applicant will be required to attend the Tribal Council meeting in person or via video or phone conference. Once the Tribal Council determines if the application is to be approved, the Enrollment Department shall create a draft Enrollment Resolution. The Enrollment Department will have five (5) working days from the date of the Tribal Council meeting to notify the applicant in writing of their decision.

SECTION 7.0: ICWA EMERGENCY ENROLLMENT

ICWA Emergency Enrollment applicants are initiated at the request the Bishop Paiute Tribe's Social Services department. All applications under this section will be prioritized by the Enrollment Department and expedited to completion and review.

- 7.1 The Bishop Paiute Tribe's Social Service Department will request an introductory meeting regarding the minor applicant with a staff member of the Enrollment Department.
- 7.2 The Enrollment Department will provide an Enrollment Application, establish eligibility for enrollment, and identify custody/ point of contact during the introductory meeting. All deliverables needed to complete the application will be delegated to either department to complete in an expedited matter.
- 7.3 Custody will be established through either a court order or a memorandum from the ICWA Department/ Social Service Director.
- 7.4 Application requirements will be expedited in the following manner:
 - a. **DNA Testing.** Testing subjects will be identified and scheduled as soon as possible. Cost associated with DNA testing may be covered by Tribal program funding if available. If there are existing court ordered DNA results completed, they will be acceptable as the DNA requirement.
 - b. **Non-Enrollment Verification Letters.** Tribal heritage will be identified during the introductory meeting. The Enrollment Department or the Social Services Department will contact each Tribe identified and reference their request as "emergency" in nature within five (5) business days of receipt of the application.
 - c. **Base Roll Linking Documents.** Enrollment Department will use the Enrollment Records to produce any Birth/Death Certificates required to link the applicant to the Tribal Base Roll within Five (5) business days. Each member file accessed will be noted with a memo stating the date, staff member information, document copied, referencing an ICWA Emergency Enrollment.

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- 7.5 Applications submitted as ICWA Emergency Enrollment applications will remain in “emergency” status until completed, regardless of the applicant’s age.

SECTION 8.0: ADMINISTRATIVE CLOSURE

- 8.1 If an application is inactive for a continuous six (6) month period, an application will be considered for Administrative Closure. Administrative Closure is when an application is no longer being processed by the Enrollment Department, and the application and all supporting documentation is returned to the applicant.
- 8.2 The Enrollment Department will contact the applicant via mail or email to inform them that their application is being considered for Administrative Closure. This contact will be documented on the “Pending Application Log”. The applicant will have 30-days from the date the applicant is in receipt of the correspondence to respond with an appeal.
- 8.3 Applicants can make an appeal to extend their application for an additional six (6) months. An acceptable reason for an extension may be situations that are out of the applicant’s control, such as waiting on county records, court ordered amendments, or tribal non-enrollment verification letters. The applicant will be responsible for providing any proof of their efforts to obtain any pending documentation during the six (6) month period of their appeal.
- 8.4 Following the 30-day notification period, The Enrollment Committee will review the Enrollment Department’s recommendation for Administrative Closure and, if applicable, examine any appeal documentation and make a final decision.
- 8.5 Upon Administrative Closure, the application with all supporting documentation will be returned to the applicant and will not be kept on file with the Enrollment Department.
- 8.6 Applicants will remain eligible for enrollment but will need to request a new application and be responsible for submission of a new application with all required documentation.

SECTION 9.0: DISAPPROVED APPLICATIONS

- 9.1 Recommendations for disapproval of an application will be made by the Enrollment Committee to the Tribal Council with justification. The applicant shall be notified in writing by the Enrollment Department of the Committee’s intent to recommend the disapproval of the application. The applicant shall have the right to participate in the Tribal Council meeting where the Committee’s recommendation will be addressed, either in person or via video or telephone conference.
- 9.2 In the event an application is disapproved by the Tribal Council, a written notice from the Enrollment Department shall be sent to the applicant within five (5) business days. The notice shall include the right to appeal the decision to the Tribal Council. A written appeal by an applicant must be filed with the Tribal Council within thirty (30) days of receipt of the notification letter.
- 9.3 All written notices shall be sent via Certified Mail to the address on the enrollment application and, if the applicant has an email address, the notice shall also be sent via email.

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- 9.4 If an appeal is filed by the applicant, the Enrollment Department shall schedule a hearing between the applicant and the Tribal Council. A written notice shall be sent to the applicant by the Enrollment Department at least (30) days before the scheduled hearing. Such notice should inform the applicant that they have the right to present evidence to show why they are eligible for enrollment with the Tribe.
 - 9.5 The Enrollment Department shall notify the applicant within five (5) business days of the date of Tribal Council's decision on the appeal.
 - 9.6 The decision of the Tribal Council in the appeal hearing shall be final.

SECTION 10.0: MEMBERSHIP RECORDS

- 10.1 Upon approval of an Enrollment Application by the Tribal Council, the Enrollment Department shall file the original Tribal Enrollment Resolution and send an original certified copy of the Enrollment Resolution to the new member within five (5) business days.
- 10.2 The Official Tribal Enrollment Number shall be given as follows: BIA Reservation Code – 549 for the Bishop Paiute Reservation, the application number, and the year of approval of the Enrollment Resolution (e.g., 549-0001-01; 549 for the Reservation code, 0001 for the application number, and 01 for 2001, the year the Enrollment Resolution was approved).
- 10.3 The names of all people on the current membership roll and base roll shall be maintained on file at the Enrollment Department.
- 10.4 The Base Roll cannot be altered or changed unless required to do so through a change in the Bishop Paiute Tribe's Enrollment Ordinance. To eliminate the opportunity for fraudulent connection to a base roll member, the list of base roll members can only be viewed by the Enrollment Department staff, the Enrollment Committee members and the Tribal Council for use during the review of an enrollment application.
- 10.5 When the Enrollment Department is formally notified that a tribal member has passed away, the name of the deceased member shall be removed from the active/ current membership roll in the Enrollment Department's database system. Formal notification is made when a Burial Assistance Form or a death certificate is submitted to the Enrollment Department. Notification of death can be provided by the next of kin/ power of attorney, law enforcement, or a coroner's office.
- 10.6 The Tribal Membership Roll will be requested in writing by the Fiscal Department prior to each per capita distribution.

SECTION 11.0: ENROLLMENT DOCUMENT RECORDS

- 11.1 The Enrollment Department shall maintain and safeguard the Tribal Membership Roll and the records related to enrollment, including all physical enrollment records (In the enrollment file room or office) and digital enrollment records (either on a secure network drive and/or software database). Included in the records shall be information about or collected from individuals, such as social security cards, birth certificates, genealogy records or other documents that have been collected for the purpose of determining eligibility for enrollment. All documents submitted to the Enrollment Department for the purpose of determining eligibility for membership have been done so voluntarily, and will be considered property of the Bishop Paiute Tribe

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- 11.2 The Enrollment Department shall maintain a file for all past and current Tribal members. These files shall contain the application, all supporting documentation, copies of all correspondence pertaining to the submitted application, a copy of the Enrollment Resolution, and any other information deemed necessary by the Enrollment Committee.
 - 11.3 The Enrollment Department shall also maintain a file for all disapproved, relinquished, or disenrolled people in connection to Tribal enrollment. These files shall be maintained separately from the Tribal Membership Role. Each file shall contain the application, all supporting documentation, copies of all correspondence, appeal requests, and outcome determination(s) by the Enrollment Committee and the Bishop Indian Tribal Council; and any other information deemed necessary by the Enrollment Committee.
 - 11.4 Confidential materials shall be available to the Enrollment Committee and Tribal Council members as necessary for determination of enrollment eligibility or enrollment matters under investigation.
 - 11.5 All physical enrollment files shall be kept in a secure area, with appropriate warnings posted indicating access to the records is limited to authorized personnel only. All file cabinets used shall be fireproof.
 - 11.6 During working hours, the area in which enrollment records are maintained or regularly used shall be occupied by Enrollment Department staff. If occupation in the filing or office areas is required by other Tribal personnel, access to the records shall be restricted by securing all sensitive documents prior to entry.
 - 11.7 During non-working hours, all enrollment documents and office spaces shall be secured and locked.
 - 11.8 Digital records that are maintained on a secure network or software program shall have limited access to only those staff or personnel with written authority of the Chief Executive Officer or their Designee. All digital enrollment files and records shall be subject to a routine data backup scheduled monthly or less..
 - 11.9 All emails that contain sensitive information on Tribal Membership shall be encrypted to secure information.

12.0: ACCESS TO DOCUMENTS AND RECORDS

- 12.1 The Enrollment Procedural Policy Manual and Enrollment Ordinance shall be made available to applicants upon request
- 12.2 Nothing in this Procedure Policy Manual shall supersede the Enrollment Ordinance or the custom and tradition of the Bishop Paiute Tribe. In cases where a conflict exists, the Enrollment Ordinance or custom and tradition of the Bishop Paiute Tribe shall prevail.
- 12.3 All meetings of the Tribal Council regarding membership matters shall be open to Tribal Members and invited guests, except during closed sessions. Due to the sensitive content discussed in Enrollment Committee meetings, only invited guests may attend.
- 12.4 Excluding DNA documentation, a printed or digital copy of a member's file may be given only to:
 - a. The Enrollment Committee or Tribal Council during a scheduled meeting only when the information is needed for purposes of determining an individual's eligibility for membership. (copies may be numbered and will be collected at the conclusion of the meeting session);
 - b. A person requesting a document in their own file;

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- c. A person requesting a deceased family member's document(s) with proof of relationship and identification;
 - d. A person requesting a printed copy of the file of an individual with proof of Power of Attorney for the member;
 - e. A parent or legal guardian requesting a printed copy of the file of their tribal minor child or ward, provided there is no record that would prohibit the requesting parties access to those records ;
 - f. An attorney or other agent requesting a printed copy of the file of a member they represent, if such request is authorized in writing by the applicant or the applicant's legal guardian;
 - g. Bishop Paiute Tribe's ICWA Representative to verify the child's Tribal Membership or eligibility status of children who have been placed in foster care, guardianship or any potential out-of-home placement proceedings pending before any state or Tribal Court;
 - h. A Designated Indian Custodian. A parent or legal guardian with custodial rights may file with the Enrollment Department a document designating a person to act as a Designated Indian Custodian. Before processing any requests from a Custodian, the Enrollment Department will contact the parent or legal guardian to ensure the Designation of Indian Custodian is still valid.
 - i. Any Tribal Department, Tribal attorney, committee, or official of the Bishop Paiute Tribe if:
 - 1. The information is needed for purposes of determining an individual's eligibility for enrollment, adoption, aid, services, surrogacy or other benefits accruing on the basis of Tribal membership; or
 - 2. The requesting individual or entity is pursuing a fraud investigation or prosecution or any similar abuse of the membership procedure as directed by the Tribal Council; or
 - 3. The information is needed for the benefit of the Tribe as a whole, as determined by the Tribal Council; or
 - 4. The information is needed for estate planning and/or probate proceedings.
 - j. A Document Request Form and/or an internal email request will be used to document any access of a Tribal Membership file. A completed form will be accepted in person or by mail. All emailed forms must be a scanned PDF document.

12.5 If emergency or administrative access to any enrollment files is requested, a member of the Enrollment Committee or an Enrollment Department staff r shall be present during the review of any physical or digital file and shall ensure the safety and integrity of such files. Any access under this policy section shall be documented in a memo and placed in all files that were accessed, documenting the date, time, the person(s) who reviewed the file(s) and purpose of the review.

12.6 DNA documentation shall be treated as confidential and may not be used for any purpose except to determine eligibility for enrollment

12.7 Failure of any Tribal employee or Enrollment Committee member that does not comply with the confidentiality provisions set forth in this section shall result in disciplinary action as determined by:

- a. **Tribal Staff** - The Enrollment Director, Tribal Administration
- b. **Committee Member** - The Tribal Council.

SECTION 13.0: UPDATING RECORDS

Upon receipt of appropriate documentation, the Enrollment Department is authorized to update the information of a Tribal member's records. The following documentation is deemed adequate for such actions to be taken:

13.1 Name Change

A completed "Name Change Form" with the required supporting documents will be submitted to Tribal Administration and distributed to the Enrollment Department for processing. A completed form will be accepted in person or by mail. All emailed forms must be a scanned PDF document.

13.2 Address Change

A completed "Address Change Form" will be submitted to Tribal Administration and distributed to the Enrollment Department for processing. When the Enrollment Department receives returned mail, they will note the need for an updated address on the member's digital account, and efforts will be made to have the member complete appropriate forms to update their contact information. A completed form will be accepted in person or by mail or email. All emailed forms must be a scanned PDF document.

13.3 Certification of Death

One of the following documents will be needed to move a member's status to "Deceased":

- a. A certified death certificate;
- b. A completed "Burial Assistance" Application;
- c. Bureau of Indian Affairs' probate records;
- d. Mortuary records;
- e. Hospital records; or
- f. Obituary notice from a reputable newspaper.

13.4 Family Information

When information is given to the Enrollment Department through government records, family tree information, and other valid sources, the digital records can be updated to assist with historical references and future applications. As information is clarified, the Enrollment Department team can update information within the digital and physical files.

13.5 Department Memorandums

When valid information or documentation regarding an enrollment matter needs to be noted in a member's file, the Enrollment Department can add a Department Memorandum to the file along with any documentation and its relevance to enrollment matters. These memorandums will also be uploaded to the Enrollment digital software files.

SECTION 14.0: VERIFICATION PROCESSES AND REQUESTS

14.1 Temporary Tribal Verification Requests

Letters stating "Temporary Tribal Verification" may be issued to individuals due to enrollment being closed and a person has a pending application for use by Tribal programs verifying that person in question is currently applying for enrollment to the Bishop Paiute Tribe. The letter must state that it is valid for one (1) year, and a copy of their letter will be placed in their application file.

14.2 Tribal Descendant Verification Letter

Upon request, the Enrollment Department may issue a letter verifying that a person is a descendent of a member of the Bishop Paiute Tribe. This claim will be verified through birth certificates linking the individual to an enrolled member of the Bishop Paiute Tribe. Verification documents will be provided by the person in question and/or reviewed within the Enrollment Records. Any correspondence must disclose the following.

- a. That the individual is not an enrolled Member of the Bishop Paiute Tribe.
- b. That the letter provided does not guarantee any claim to membership to the Bishop Paiute Tribe.

14.3 Non-Enrollment Verification Letter

Letters of non-enrollment verification requested for individuals seeking enrollment with another Tribe may be requested through written correspondence or email from the individual or the Tribe. To determine non-eligibility, the Enrollment Department will need the individual's full name (including applicable suffixes) and their date of birth. All non-enrollment verification letters must be sent directly to the Tribe requesting the verification and cannot be given directly to the person in question.

14.4 Probate Verification for the Bureau of Indian Affairs (BIA)

Information concerning a deceased Tribal member can be sent to the BIA for probate purposes by written request only. Deceased Tribal member's information will be pulled from the deceased member files. Current tribal family members can be identified for probate purposes. A copy of the written request will be placed in the deceased member's file along with a departmental memo documenting the information provided to the BIA in response to the request. Any documentation requested by the BIA on living members will need the members' consent (document request form) before providing that information.

14.5 Indian Child Welfare Act (ICWA) Tribal Verification Requests from Outside Agencies

Entities outside of the Bishop Paiute Tribe requesting information regarding the enrollment status of a minor who is currently a member or is eligible to be a member shall submit a written request for information to the Bishop Paiute Tribal ICWA Representative. The Bishop Paiute Tribe ICWA Representative will forward appropriate requests to the Enrollment Department for formal verification. All responses will be on Tribal Letterhead and given back to the Bishop Paiute Tribe's ICWA Representative for distribution and record.

14.6 Verification Requested by Outside Agencies on Tribal Membership Status

Any request from Non-Bishop Paiute Tribal entities requesting membership information will require the member to complete a Document Request Form or provide a Release of Information Form.

14.7 Departmental Data Requests

Tribal Departments can submit a written request for enrollment data for outreach for grant data purposes only. Responses from the Enrollment Department will be through a departmental memo and a copy will be kept within the Enrollment Department's digital files for future reference.

SECTION 15.0: TRIBAL IDENTIFICATION (ID) CARDS

Tribal ID Cards will be issued to Tribal members to confirm their membership status with the Tribe.

- 15.1** A completed Tribal Identification Card Request Form will be submitted to the Enrollment Department for processing. A completed form will be accepted in person or by mail. All emailed forms must be a scanned PDF document.

- 15.2** The issuance, renewal, and revocation of Tribal ID Cards are at the discretion of the Tribal Council. The Tribal Council will approve the appearance of the "Official" Bishop Paiute Tribal ID Card. No alterations of a Tribal ID Card will be made without the approval of the Tribal Council.

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- 15.3 Tribal IDs shall be renewed every four (4) years.
 - 15.4 Tribal ID cards shall be issued initially and renewed on or before the expiration date free of charge upon the submission of an ID Request Form.
 - 15.5 A \$10.00 processing fee will be charged for the replacement of a Tribal ID Card for reasons other than expiration. Payment must be made to the Fiscal Office, and the receipt of payment and a completed ID Request Form will be provided to the Enrollment Department, with a copy placed in the member's file.
 - 15.6 Tribal ID cards issued to minors will have marks indicating the card belongs to a minor Tribal member, such as different background and the wording "MINOR".
 - 15.7 The photo for a replacement Tribal ID Card will be updated every four (4) years but may be updated at any time by the Enrollment Department while processing an ID Request Form. This request is for the purpose of accurately depicting the current appearance of the member.
 - 15.8 ID Request forms will be kept on the Enrollment Department's secure network drive and software database.

SECTION 16.0: BURIAL ASSISTANCE AND DESIGNATED FAMILY REPRESENTATIVE

The Burial Assistance Program will be offered to eligible applicants to assist with funeral, crematories, or mortuary direct services on behalf of the deceased member.

- 16.1 Eligibility criteria for the burial assistance program are as follows:
 - a. Enrolled members of the Bishop Paiute Tribe or
 - b. A minor who is eligible for enrollment with the Bishop Paiute Tribe, who passes away prior to completing the enrollment application process. The Enrollment Department will be required to submit a memo documenting the verification of the individual's eligibility with the Burial Assistance Application.
- 16.2 The Burial Assistance Program will pay directly to the funeral home, crematory, or mortuary, of the family member's choice, a maximum of \$4,500.00 for direct services provided. The family or representative of the deceased is responsible for any costs exceeding \$4,500.00. Payment cannot be divided between several vendors and is limited to the services described above.
- 16.3 Services and expenses offered by the identified funeral home, crematory, or mortuary will be established by their statement of funeral goods and services.
- 16.4 A designated family representative will be identified as the main point-of-contact for the Enrollment Department and will be identified on the Burial Assistance application. If there is a discrepancy as to who will be the designated family representative, the Enrollment Department will consult with the following family members to establish a designated family representative (in descending order):
 - a. An individual identified by the member who is terminally ill or moribund.
 - b. Spouse
 - c. Person named as the Executor in a Will
 - d. Adult Children (oldest to youngest)
 - e. Parent
 - f. Sibling

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- 16.5** In the event there is not an appointed representative or family member, the next of kin will be accepted to act as the designated family representative for Burial Assistance program.
- 16.6** The following information is required to be submitted on the Burial Assistance application:
- a. Name of the deceased;
 - b. Date of death;
 - c. Enrollment number;
 - d. Date of birth;
 - e. Birth certificate (if not enrolled);
 - f. Name of funeral home, crematory, or mortuary;
 - g. Name and telephone number of designated family representative for the deceased.
- 16.7** A fully completed Burial Assistance application, and an itemized invoice from the funeral home, crematory, or mortuary shall be submitted to the Enrollment Department prior to any disbursement of payment.
- 16.8** The Bishop Paiute Tribe shall not have any financial responsibility or obligation for any costs in excess of the benefits provided by the Burial Assistance Policy. No exceptions.
- 16.9** The Bishop Paiute Tribal Council may, in its sole discretion and without further notice to Tribal members, amend or terminate the Burial Assistance program.
- 16.10** If in the event a Tribal member passes away after a per capita or Voter's Distribution list is approved by the Tribal Council and prior to the payment being redeemed by the member, the payment may be re-issued in the name of the designated family representative.
- 16.11** A designated family representative may be reimbursed for payment of allowable "goods and services" with proof of payment to a funeral home, crematory, or mortuary who provided the services within a one (1) year period. A fully completed Burial Assistance application, and an itemized proof of payment from the funeral home, crematory, or mortuary shall be submitted prior to any disbursement for payment.
- 16.12** Upon request by the designated family representative, the Enrollment Department can assist with the completion of a county "Burial Permit". The appropriate signature for these documents will be the Tribal CEO or its designee.

SECTION 17.0: MINOR TRUST PROGRAM (ENROLLMENT DEPARTMENT FUNCTIONS)

The Minor Trust Fund account is established in accordance with the Bishop Paiute Tribes' Revenue Allocation Plan. The Enrollment Department will assist Tribal members in processing all minor trust distributions. All requests will be approved by the Chief Executive Officer or a designee of the Tribal Council according to the following criteria.

- 17.1** A Minor's Trust Distribution form will need to be fully completed to be processed for payment.
- 17.2** A final distribution and closure of a Minor's Trust account will be made to the member if:
- a. The member is 18 years old and has obtained a high school diploma or G.E.D. certificate; or
 - b. The member is 21 years old or older.
- 17.3** Parents or legal guardians may submit a Minor's Trust Distribution form on behalf of a deceased minor and must include a copy of the deceased minor's death certificate along with the Minor's Trust Distribution form.

The preference for distributing the balance of the Minor's Trust Account will be as follows (in descending order):

- a. Bishop Paiute Tribal Member Parent/ Guardian;
 1. If both parents are Bishop Paiute Tribal Members, the balance of the trust will be split equally.
 2. If the Tribal member parent does not have custody of the minor at the time of death, they will not be issued any distribution amount.
- b. Non-Bishop Paiute Tribal member parent/ guardian;
- c. Next of kin.

- 17.4 Enrollment staff will also ask that all applicants complete an Address Change & W-9 form to issue any future per capita or voter's distribution payments to the member.
- 17.5 Within five (5) business days following a new minor member being enrolled, the Enrollment Department will send information regarding the newly enrolled member to the applicable Minor Trust Fund contractor to ensure accounts are created prior to any per capita distribution.
- 17.6 Enrollment Staff will notify the applicant's guardian of the Minor Trust Fund program.
- 17.7 In the event the membership of a minor member is relinquished or a disenrollment occurs, the minor trust balance will revert back to the Bishop Paiute Tribe and will not be issued to the former member.

SECTION 18.0: REIMBURSEMENTS

Included in this section are circumstances where the Department, with the approval of the Enrollment Director, may provide a reimbursement to applicants or Tribal members.

- 18.1 Below are the only circumstances that a reimbursement may be issued to an applicant or Tribal member:
 - a. **DNA Testing Payments.** If an applicant is unable to complete the required testing, or if the amount the testing increases due to location (In-House/External testing.) or vendor contract.
 - b. **Tribal ID Card Payments.** If a Tribal member is mischarged the fee for a Tribal ID.
 - c. **Lost Original Documents.** If the Enrollment Department is unable to locate an original document, i.e. a birth certificate or Social Security card was in the Department's possession or was lost in the mail, the applicant will be reimbursed the cost of a replacement document.
- 18.2 The Enrollment Director will document all reimbursements with a Departmental Memo that will remain in the file of the applicant or Tribal member. This memo will also be submitted with the Tribe's Accounts Payable System to justify the payment to the applicant or member.

SECTION 19.0: RELINQUISHMENT OF MEMBERSHIP

Any member of the Bishop Paiute Tribe may voluntarily relinquish their membership by completing the steps below in accordance with the Enrollment Ordinance.

- 19.1 Adult Members must complete a Relinquishment Affidavit form to relinquish their membership with the Bishop Paiute Tribe. This document is required to be notarized.
- 19.2 Minor members must have both parents/ guardians complete a Relinquishment Affidavit form to relinquish their membership with the Bishop Paiute Tribe. This document is required to be notarized. If a parent is unable to complete the document due to incarceration, incompetence, deceased or are otherwise

unavailable, a "Declaration Form" must be completed by the other parent/guardian, and included with the Relinquishment Affidavit explaining why the other parent is unable to sign.

- 19.3** Members wishing to relinquish their membership status may have the option of choosing an "Immediate Relinquishment" or a "Conditional Relinquishment."
- a. An Immediate Relinquishment will be in effect once a Relinquishment Resolution is adopted by the Tribal Council.
 - b. A Conditional Relinquishment will be in effect once the Bishop Paiute Tribe receives written correspondence from another Tribe confirming the member is now enrolled within that respective Tribe and a Relinquishment Resolution is adopted by the Tribal Council.
- 19.4** All Relinquishment Affidavits will be reviewed by the Enrollment Committee, and if validated, a Relinquishment Resolution will be recommended for adoption by the Tribal Council.
- 19.5** Enrollment staff will prepare and present a Relinquishment Resolution, along with supporting documentation, to the Tribal Council for their consideration.
- 19.6** Within five (5) business days following the passage of the Relinquishment Resolution, Enrollment staff will send a written confirmation to the former member or the parents/ guardian of the former member, informing them of the action taken by the Tribal Council, including a certified copy of the Relinquishment Resolution and supporting documentation.
- 19.7** If the member is an adult, the relinquishment will be considered permanent, and the former member shall forfeit any right to enroll as a member of the Bishop Paiute Tribe. If membership was relinquished when the member was a minor, they will still be eligible for membership if they meet all membership eligibility criteria at the time their application is submitted.

SECTION 20.0: DISENROLLMENT OF MEMBERSHIP

A person who is found to have been erroneously enrolled, or it is determined the person accepted benefits of land or money as an enrolled member of another Indian Tribe, or for any other reason it is determined a person is not eligible for Tribal membership pursuant to the Tribe's membership requirements, they shall be subject to disenrollment.

- 20.1** The Enrollment staff or Committee may not carry out an investigation on the membership status of an enrolled tribal member without the prior approval or direction of the Tribal Council.
- 20.2** Upon request by the Tribal Council to investigate the validity of a member's enrollment status:
- a. The Enrollment Department will provide the Enrollment Committee with all documents within the member's enrollment record for review.
 - b. The Enrollment Department will locate and gather any additional documents, evidence, and/or legal opinions requested by the Enrollment Committee.
 - c. Upon completion of an investigation, the Enrollment Committee will provide a written recommendation with any relevant evidence to the Tribal Council for their consideration.
 - d. The Committee's recommendation and presentation of evidence may be presented to the Tribal Council by the Enrollment Committee and/or Enrollment staff.
 - e. Tribal Council may request the Enrollment Department provide any necessary additional documents, evidence, and/or legal opinions.

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- 20.3** If the Tribal Council makes the decision to conduct a disenrollment hearing:
- a. The Enrollment Department shall notify the member via Certified Mail (return receipt required), of the intent to disenroll, including all evidence relied upon by the Committee and Tribal Council.
 - b. Included in the notice shall be the date of the hearing before the Tribal Council. The hearing date shall be scheduled no earlier than 30 calendar days from the date of the notice.
 - c. At the hearing, the Enrollment Committee and/or the Enrollment Department shall present the evidence relied upon and the recommendation of the Committee.
 - d. Following the hearing, regardless of whether the member appears or responds, the Tribal Council shall determine if the member is to be disenrolled.
 - e. The decision shall be documented in a resolution that will be drafted and presented by the Enrollment Department.
 - f. The disenrolled member shall be notified of the action taken by the Tribal Council, via Certified Mail (return receipt required), no later than five (5) business days following the date of the decision. A certified copy of the Disenrollment Resolution will also be included in the correspondence.
 - g. The decision of the Tribal Council shall be final.

SECTION 21.0: RECORDS RETENTION

Records within the Enrollment Department will be maintained in the manner described within this section.

- 21.1** Membership files will be maintained indefinitely, containing the following documents:
- a. Identification Records, such as Social Security cards, birth certificates, and death certificates.
 - b. Name changes, marriage/ divorce documentation, adoptions/ guardianships.
 - c. Original Tribal membership Resolution
 - d. Historical documentation, i.e. family trees, census documentation, land documentation.
 - e. DNA data
- 21.2** Department forms and correspondence will be housed within the Enrollment Department's share drive and Enrollment database software only. These documents will be kept on record for a seven (7) year period.
- 21.3** Minors Trust Distribution documentation will be kept indefinitely.
- 21.4** Nonmember information for the purpose of historical reference and heritage, will be kept in the Enrollment Database software only.
- 21.5** Administratively closed applications will not be kept and will be returned to the applicant.
- 21.6** Disapproved application files, relinquished member files, or disenrolled member files will be kept indefinitely.
- 21.7** A spreadsheet with information on all administratively closed/disapproved applications will be maintained on the "Enrollment Share Drive".
- 21.8** All Enrollment Committee meeting minutes will be maintained indefinitely as follows:
- a. A hard copy will be kept within the Enrollment files.
 - b. A digital copy will be kept on the Enrollment share drive as a PDF document, combining all minutes into one-year periods.

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- 21.9** Historical documents that are within a member's Enrollment file will be kept indefinitely. All other documents within the possession and control of the Enrollment Department will only be removed by Enrollment Committee's approval.

SECTION 22.0: REFERENCE DOCUMENTS

- 22.1** Current Enrollment Ordinance (Certified July 1996)
- 22.2** Current Enrollment Committee By-Laws (Certified October 2008)
- 22.3** Current Revenue Allocation Plan (Certified April 2006), Section VII. Use of Net Gaming Revenues: Individual Per Capita Payments, sub-section C. Minors Trust Fund.