TITLE 7- ENROLLMENT, COMMITTEES, ELECTIONS AND REFERENDUMS

CHAPTER 7-1 ENROLLMENT

7-1-1 Purpose and Authority

The purpose of this Code is to provide for the development and maintenance of the Membership Roll of the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians (hereinafter Tribes). Authority for this Code is vested in the Tribal Council by Article III, Section 4, of the Constitution of the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians, which was adopted on May 23, 1987, and approved by the Assistant Secretary of Indian Affairs, Department of the Interior, on June 23, 1987.

7-1-2 Findings

The Tribal Constitution provides for the terms upon which membership in the Tribes will be granted, forfeited, or denied and empowers the Tribal Council to adopt an ordinance establishing procedures for the processing of membership applications, the loss of membership, and the adoption of persons into the Tribes. Accordingly, the Tribal Council finds it to be in the best interest of all Members and Applicants to provide specific written rules and regulations governing the procedures to be used in determining Tribal membership.

7-1-3 Definitions

(a) “Adult” - any person eighteen (18) years of age or older.

(b) “Applicant” - any person who has applied formally for membership in the Tribes prior to approval or denial of the application.

(c) “Artificial Conception” - The action of conceiving a child through a method other than sexual intercourse.

(d) “Authentic Historic Documentation” - Records or documents where the source is displayed and can be verified. This may include census records, school records, newspaper articles, and/or other publications.

(e) “Census Roll of 1940” - the Public Domain Census Roll of January 1, 1940, prepared by the Grand Ronde - Siletz Agency, Bureau of Indian Affairs.

(f) “Certified Copy of the Applicant’s Birth Certificate” - a government-issued birth document certified by a tribal, city, county, state or federal government agency, including the District of Columbia, U.S. Census Bureau or a U.S. Territory. The document cannot be laminated and cannot be issued by a non-government agency, such as a hospital-issued birth certificate, hospital-issued birth card, hospital-issued birth registration or a baptismal certificate.

(g) "Committee" and "Enrollment Committee" - the Enrollment Committee of the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians.

(h) "Coos" - the Indian tribe referred to in historical documents as "Coos," "Coos Bay," "Kowes Bay" "Kusa" and "Kuse".

(i) "Court" and "Tribal Court" - the Tribal Court of the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians.

(j) "Days" - all calendar days. However, when any deadline date established by this Code falls on a Saturday, Sunday or any day designated a legal holiday by federal or Tribal law or by Tribal administrative action, the deadline date shall be extended to the next Tribal workday following the Saturday, Sunday or holiday.

(k) "Disenrollment" - the involuntary loss of membership in the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians.

(l) "Enrollment" - admission to membership in the Tribes by the procedure for enrollment provided for by this Code.

(m) "Enrollment Coordinator" - the person employed by the Tribes to direct the operations of the Tribal Enrollment Department.

(n) "Family Tree Form" - the form drafted by and available from the Tribes' Enrollment Department, which shall request from each Applicant important information about the Applicant and the Applicant's heritage upon which decisions regarding the Applicant's eligibility for membership in the Tribes may be based. The Family Tree Form shall not be considered to define all acceptable or relevant data regarding membership which may be considered in making decisions under this Code.

(o) "Gamete Donation" - a procedure in which either (1) a man donates semen or (2) a woman donates an egg (also known as ova or oocytes) to help an individual, who is not the donor's sexual partner, conceive a child.

(p) "Has Qualified" - has been found to have met the standards and requirements for enrollment.

(q) "Intended Parent" - Person who becomes a legal parent of a child born through surrogacy or gamete donation.

(r) "Lineal Descendant" - a person who is in direct line to an ancestor. A person is a lineal descendant of their parents, their parents' parents, their parents' parents' parents, and so forth back in time. A lineal descendant is distinguished from a collateral descendant, which would be from the line of a brother, sister, aunt or uncle. If a person's lineal ancestral line through which membership is claimed is severed pursuant to CLUSITC 7-1-35(e), the person is not considered to be a lineal descendant of an

ancestor for purposes of membership in the Tribes. For purposes of this definition, "parent" means "Natural Parent."

(s) "Listed on the Public Domain Census Roll of January 1, 1940" - listed as a Coos (Kuse)(Kusa), Lower Umpqua (Umpqua), or Siuslaw Indian on the Public Domain Census Roll of January 1, 1940.

(t) "Natural Parent" - A person who is a genetic parent of a child.

(u) "Person" - any human being of any age or sex, whether or not a Member of the Tribes.

(v) "Roll" - the census roll of the Tribes as kept and updated by the Tribes' Enrollment Department as provided by this Code.

(w) "Tribal Council" - the Tribal Council of the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians.

(x) "Tribal Member" and "Member" - any person who is a duly enrolled Member of the Tribes unless the context clearly indicates otherwise.

(y) "Tribes" and "Tribal" - the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians.

7-1-4 to 7-1-10 Reserved for expansion.

7-1-11 Enrollment Coordinator

(a) An Enrollment Coordinator shall be employed by the Tribes to carry out the day-to-day operations of the Tribes' Enrollment Department.

(b) The Enrollment Coordinator is responsible for the Tribes' day-to-day enrollment operations, and for performing the Enrollment Coordinator's duties as set forth in this Code.

(c) The Enrollment Coordinator, or person designated by the Enrollment Coordinator or Chief Executive Officer, shall take the minutes of each meeting of the Committee.

(d) The Enrollment Coordinator shall regularly report to the Tribal Council on any action taken by the Enrollment Committee.

(e) The Enrollment Coordinator shall follow and abide by the regulations and procedures contained in this Code.

7-1-12 Enrollment Committee

(a) The Tribal Council shall appoint an Enrollment Committee in accordance with CLUSITC 7-5 to carry out enrollment functions as set forth in this Code.

(b) The Committee shall have five (5) Committee members. One (1) member of the Committee shall be a member of the Tribal Council, and, if possible, at least one (1) member of the Committee shall be from each of the three (3) Tribes, Coos, Lower

Umpqua and Siuslaw. Three (3) Committee members will make a quorum, which shall be required to hold a meeting and conduct business. All members shall be voting members.

(c) The Committee is responsible for presenting a list of Applicants and the Committee's recommendations regarding their membership to the Tribal Council four (4) times a year, in the months of January, April, July and October, or following a special meeting of the Enrollment Committee called under CLUSITC 7-1-13(b) for Tribal Council action. The Committee may provide additional enrollment-related recommendations and information to the Tribal Council as required by this Code, including but not limited to Name Changes of Tribal Members, as well as moving Active Members to the Historical file, at any Tribal Council meeting.

(d) The Committee shall follow and abide by the regulations and procedures contained in this Code.

(e) All Committee members shall be required to attend meetings in person due to the need to review historical, original and confidential documents.

7-1-13 Enrollment Committee Meetings

(a) The Committee shall meet quarterly in February, May, August and November of each year. Absence from three (3) regularly scheduled quarterly meetings shall be grounds for removal from the Committee.

(b) Special meetings of the Committee may be called by the Committee Chairperson, Tribal Chairperson, or upon request of three (3) members of the Committee. Special meetings may be called to consider a protest filed under CLUSITC 7-1-37, if immediate action on an application is necessary to protect the health or welfare of the Applicant or if immediate action is otherwise justified. Special meetings shall be called as provided in CLUSITC 7-1-36(g).

(c) The Enrollment Coordinator, or person designated by the Enrollment Coordinator or Chief Executive Officer, shall take the minutes of each meeting of the Committee.

7-1-14 Tribal Council

(a) The Tribal Council is responsible for enacting laws and providing direction to the Chief Executive Officer for the creation of policies consistent with the law for the Tribes, including enrollment-related laws and policy, and for carrying out the Tribal Council's enrollment duties set forth in the Constitution and this Code.

(b The Tribal Council shall certify new membership, name and active-to-historic changes by resolution.

7-1-15 to 7-1-20 Reserved for expansion.

7-1-21 Membership Requirements

The Tribes have the right to determine Tribal membership and interpret Tribal documents consistent with the Tribal Constitution. In accordance with the Tribal Constitution, a person shall be eligible for membership in the Tribes if the person is living and applies, and:

(a) The person's name is Listed on the Public Domain Census Roll of January 1, 1940, prepared by the Grand Ronde-Siletz Agency, Bureau of Indian Affairs; or

(b) The person is a lineal descendant of a public domain allottee of Western Oregon who was a member of the Coos, Lower Umpqua or Siuslaw Indians; or

(c) The person is a lineal descendant of a person listed or entitled to be listed as a (Kusa) Coos, Lower Umpqua (Umpqua) or Siuslaw Indian on the Census Roll of 1940 or any other roll prepared by the Department of Interior or within other authentic historic documentations and /or census rolls prior to the effective date of the Tribal Constitution.

(d) The person is a lineal descendant or collateral blood relation of an enrolled member living or deceased.

7-1-22 Prohibitions on Membership

(a) No person shall be eligible for membership in the Tribes who has received payment in compensation for land claims through any other Indian tribe, whether federally recognized or not. Lineal descendants seeking eligibility must meet one or more areas of criteria of CLUSITC 7-1-21 and shall not be prohibited from membership eligibility solely on ancestors' actions.

(b No person who is a member of any other Indian tribe, whether such other Indian tribe is federally recognized or not, shall be eligible for membership in the Tribes until he or she has relinquished his or her membership in the other Indian tribe(s).

(c) Any person who, while a Member of the Tribes, is a member or becomes a member of another Indian tribe, shall be subject to loss of membership in the Tribes.

(d) No person who qualified for membership under the Act of October 17, 1984, Pub. L. 98-481, Section 4, 98 Stat. 2251, and who was enrolled in the Tribes prior to May 23, 1987 shall be subject to loss of membership pursuant to CLUSITC 7-1-22(a). All descendants of previously enrolled members shall be eligible for enrollment , per Article III, Section 8 Membership under the Restoration Act of the Tribes Constitution.

(e) A person will not be subject to loss of membership in the Tribes pursuant to CLUSITC 7-1-22(c) if it has been found by the Committee that: (1) the other tribal membership occurred when the person was under the age of eighteen (18) years; (2) the person did not consent to enrollment in the other tribe; (3) one of the person's parents did not consent to the person's enrollment in the other tribe; (4) upon reaching the age of eighteen (18) years, the person relinquished enrollment in the other tribe; and (5) the Enrollment Department has received a resolution or other official document from such other tribe approving such person's relinquishment of membership in that tribe. prior to the person's nineteenth (19th) birthday.

(f) The Tribal Council, by majority vote, may decide questions of membership in other Indian tribes after evidence and a recommendation regarding membership has been presented to the Tribal Council by the Committee.

7-1-23 to 7-1-30 Reserved for expansion.

7-1-31 Enrollment Procedures, Generally and Burden of Proof

(a) All enrollments into the Tribes shall take place under the provisions of this Section.

(a) Applicants who prove under the rules and standards set out in this Code that they meet all qualifications for enrollment shall have a right to enroll in the Tribes in accordance with the procedures set forth in this Code.

(a) The burden of proof shall be upon the Applicant to establish all elements of the Applicant's eligibility for enrollment under the Tribal Constitution and this Code. Any Application for Enrollment must be proved to the satisfaction of Committee or the Tribal Council, as provided herein, by clear and convincing evidence.

(a) An Applicant denied enrollment shall not, under any circumstances, be entitled to or be compensated by an award of money damages, costs or attorney's fees against the Tribes, their officials, whether elected or appointed, their employees or officers.

7-1-32 Who May Apply

(a) Any person who believes that he or she meets the requirements for membership in the Tribes as set forth in this Code may apply for enrollment.

(b) A parent, next of kin, conservator, or legal guardian of a minor child or an incapacitated person may file an application seeking the enrollment of the minor child or incapacitated person.

(c) In the case of an emancipated youth, the emancipated youth may apply for enrollment after providing proof of emancipation in the form of court documents.

7-1-33 Application for Enrollment Form

The Committee shall develop an application form, to be approved by the Tribal Council to be completed by each Applicant seeking enrollment. The application form shall be entitled, "Application for Enrollment", and shall request the following:

(a) Name and address of the Applicant.

(b) All names by which the Applicant is or has been known and a copy of marriage certificates, if the Applicant is or ever has been married.

(c) The Applicant's date of birth, and a Certified Copy of the Applicant's Birth Certificate if one exists or can be obtained.

(d) How the Applicant's eligibility for membership is being claimed, according to CLUSITC 7-1-21.

(e) The signature of the Applicant or the signature of the parent, next of kin, conservator, or legal guardian of a minor child or an incapacitated person who is filing an application seeking the enrollment of the minor child or incapacitated person, stating that the Applicant has supplied all relevant data that he or she intends to submit to the Tribes on the issue of the Applicant's eligibility for enrollment.

(f) In the case of an Application for Enrollment filed by a conservator or legal guardian, documentation verifying the conservatorship or guardianship must be included with the application. In the case of an application filed by a minor's next of kin, documentation verifying the relationship must be included with the application. The current address of the parent, next of kin, conservator, or legal guardian must be included with the application.

(g) The date the application was signed by the Applicant.

(h) Information about the Applicant's tribal membership and the membership status of the Applicant's parents.

(i) Adoption information, if applicable.

(j) The Applicant's Social Security Number and a copy of the Applicant's Social Security Card.

(k) A completed Family Tree Form. The Family Tree Form should reflect the direct lineal descendant ancestor through whom the Applicant is claiming membership rights, and include names, dates, and other identifying information about the Applicant's ancestors.

(lj) Any other document(s) or information that confirms birth and genealogy in support of the Applicant's eligibility for membership in the Tribes.

7-1-34 Applying for Enrollment

(a) An Application for Enrollment form and Family Tree Form shall be issued by the Enrollment Coordinator or her designee, as determined by the Chief Executive Officer, to any person seeking membership for themselves or another person.

(b) Applicants shall file a completed Application for Enrollment, Family Tree Form, and any supporting documentation with the Enrollment Coordinator or her designee, as determined by the Chief Executive Officer.

(c) The Enrollment Coordinator or her designee shall record the date of first contact with each Applicant, the date the Application for Enrollment was provided to the Applicant, and the date of the filing of the Application for Enrollment with the Enrollment Coordinator or her designee, as determined by the Chief Executive Officer. The Enrollment Coordinator or her designee shall also maintain a record of any additional contacts with the Applicant.

(d) When an Application for Enrollment is received, the Enrollment Department shall stamp the application with the date it was received on the top right-hand corner of the application.

7-1-35 Paternity and Maternity

(a) An Applicant seeking enrollment and the individual through whom the Applicant claims eligibility for enrollment shall each submit to DNA tests to assist the Committee's determination regarding the Applicant's qualification for enrollment. If a DNA test administered pursuant to this Section results in a negative test, the sole means by which an Applicant may seek to prove eligibility is through a subsequent positive DNA test. DNA tests used for purposes of this CLUSITC 7-1-35 test for lineage between the Applicant and a lineal ancestor, not for genetic markers of tribal identity.

(b) When the individual through whom an Applicant claims eligibility for enrollment is deceased at the time of submission of the Application for Enrollment or the individual is living at the time of the submission of the Application for Enrollment but is unable or unwilling to submit to a DNA test, the Committee may:

(1) Require an alternate form of DNA testing, including but not limited to a siblingship test; and

(2) Require the Applicant to submit additional documentation proving Tribal parentage, including but not limited to affidavits confirming Tribal parentage, state adoption or other records, wills, probate records or any other information requested by the Enrollment Coordinator or Committee.

(c) The up-front cost of DNA tests required pursuant to this Section shall be paid by the Tribes. The Applicant will be required to reimburse the Tribes, in an amount established by the Chief Executive Officer, in the event the Applicant does not qualify for enrollment.

(d) A child who is conceived through Artificial Conception who has at least one Natural Parent who is a Tribal Member may be enrolled as a Member subject to compliance with all other requirements for membership in the Tribes.

(e) Except as provided in CLUSITC 7-1-35(f), when a child is conceived through Gamete Donation, the donor is not considered to be the Natural Parent of that child for the purpose of membership in the Tribes, regardless of DNA test results.

(f) Notwithstanding CLUSITC 7-1-35(e), if a Tribal Member elects to make a Gamete Donation to another Tribal Member, the resulting child is eligible for membership in the Tribes if the recipient and donor agree to acknowledge the Tribal heritage of the child. To qualify for enrollment pursuant to this CLUSITC 7-1-35(f), the recipient and the donor must contact the Enrollment Coordinator prior to the Gamete Donation and disclose the intended Gamete Donation, which will be recorded by the Enrollment Coordinator. The resulting child must still establish ancestral lineage through the use of DNA testing as provided in CLUSITC 7-1-35(a) in order to qualify for membership in the Tribes. When membership in the Tribes is established through this CLUSITC 7-1-35(f):

(1) The enrolled child will be listed on public records as a descendant of the Intended Parents.

(2) The enrolled child will be officially enrolled as a descendant of the Natural Parents.

(3) The Enrollment Coordinator will keep a record of the actual genetic lineage of the enrolled child for future enrollment purposes.

7-1-36 Review of Applications for Enrollment

(a) Review of an enrollment application shall not begin until the Application for Enrollment, the completed Family Tree Form, and DNA test results have been returned and date stamped received by the Enrollment Coordinator or her designee.

(b) The Committee shall establish the nature and type of acceptable evidence for proving eligibility for membership in the Tribes, which shall include, but not be limited to: certified copies of court documents; state or federal records; hospital medical records; certified copies of birth certificates and marriage licenses; Family Tree Forms; affidavits of friends, neighbors, and/or tribal elder(s); family Bible records; and other genealogical information. Recognizing that there will be situations in which the safety of the Applicant or a Member may be at risk due to domestic violence, the Committee may accept evidence that has been provided under victim shield laws or applicable Tribal or federal law.

(c) Upon receipt of a completed Application for Enrollment, the Enrollment Coordinator shall verify the information contained in the application, including the application, Family Tree Form, DNA test results, and supporting documentation. The Enrollment Coordinator shall make a written recommendation regarding the approval or

denial of enrollment, along with a list of materials documenting the record in support, to the Committee. The Enrollment Coordinator shall denominate the application "Ready for Review" and present a recommendation and a list of the documents that support the recommendation of the Enrollment Committee at the next regularly scheduled quarterly meeting or at a special meeting of the Enrollment Committee called under CLUSITC 7-1-13(b).

(d) If the Enrollment Committee determines that an application lacks the information required in this Chapter, the Committee will consider the application incomplete and return the application to the Enrollment Coordinator. The Enrollment Coordinator shall notify the Applicant within fourteen (14) days by certified mail that the application is incomplete and state the reason(s) it is incomplete. If the Applicant fails to supply the requested information within sixty (60) days, the application is deemed withdrawn and the Applicant must submit a new Application for Enrollment or resubmit the previous application as required by the Enrollment Coordinator.

(e) In the event the Enrollment Coordinator or Committee needs further information at any time to facilitate their decision-making process about an application that is technically complete, the Applicant shall be notified by certified mail to provide that information within sixty (60) days or the application will be considered withdrawn and the Applicant must submit a new Application for Enrollment or resubmit the previous application as required by the Enrollment Coordinator.

(f) The Committee shall review the Application for Enrollment, Family Tree Form, DNA test results, any supporting documents, and the Enrollment Coordinator's recommendation. The Committee may vote to approve or disapprove the Applicant's enrollment, or the Committee may, by majority vote, cause the recommendation of the Enrollment Coordinator to be returned to the Enrollment Coordinator for further review and resubmission of the Application for Enrollment to the Committee for action at the Committee's next quarterly meeting.

(g) The Enrollment Committee shall, within ninety (90) days after submission by the Enrollment Coordinator, review and vote on the recommendation regarding the Application for Enrollment. If the Committee does not act on the application within the time provided, the Enrollment Coordinator shall, upon written request by the Applicant, cause the application to be set for hearing before the Enrollment Committee at a special meeting.

(h) If the Committee, by majority vote, determines that the Applicant should be denied enrollment, the Enrollment Coordinator shall present this finding and the reasons for the Committee's decision, in writing, to the Tribal Council at the next regularly scheduled Regular Tribal Council meeting for final action pursuant to CLUSITC 7-1-38.

(i) If the Committee, by majority vote, determines that the enrollment of the Applicant should be approved, the Committee recommendation for the Applicant's membership together with the Applicant's name, the Applicant's lineal descendant through whom he or she is claiming eligibility for membership, and information about Members' rights to protest, shall be published in the next edition of the Tribal Newsletter, and shall be posted in the Administrative Building, Tribal Hall, Outreach Offices, on the Tribes' website and the office of the Gaming Commission for twenty-eight (28) days.

7-1-37 Members' Right to Protest and Enrollment Committee's Consideration of Protests

(a) Tribal Members shall have the right to protest the recommendation of the Committee approving an application and must file a written, signed protest with the Committee stating their reasons for believing that an Applicant is not entitled to enrollment. The protest must be filed with the Committee within twenty-eight (28) days after notice of the proposed enrollment is posted as described in CLUSITC 7-1-36(i).

(b) If a protest is filed, the Committee, at a special meeting, shall reconsider the protested application(s), taking into consideration the information submitted in the protest. The review of a protest shall not delay the processing of the Committee's recommendations to the Tribal Council regarding other Applicants.

(c) If the Committee finds a legal basis for the protest action that would preclude enrollment, the Committee shall provide this information as a part of the record to Tribal Council for final action.

(d) If the Committee determines that the Applicant is eligible for membership despite the protest, then the Committee shall submit the Applicant's application to the Tribal Council for final action. A Tribal Member who has filed a protest against the Committee's recommendation for enrollment has no right of appeal.

7-1-38 Tribal Council Review of Applications for Enrollment

(a) The Enrollment Committee shall make its recommendation to the Tribal Council about whether to approve or deny an Application for Enrollment at the next regularly scheduled Tribal Council meeting after the Enrollment Committee completes its review and evaluation of the Application for Enrollment in accordance with this Code.

(b) In the event that the Tribal Council determines that an application lacks sufficient proof in support of enrollment, the Tribal Council may defer action on the application until additional proof is submitted by the Applicant within ninety (90) days. If the Applicant fails to act within that time period, the application is withdrawn by operation of law.

(c) Prior to denying enrollment, the Tribal Council shall make written findings of fact and conclusions of law upon which the denial is based which may be kept confidential upon request of the Applicant.

(d) When the Tribal Council denies, by a majority vote, enrollment of an Applicant, the Tribal Council shall adopt a resolution denying the Applicant's enrollment and the resolution shall constitute a final denial of enrollment. The Enrollment Coordinator shall notify the Applicant of the Tribal Council's decision by mail. In accordance with CLUSITC 7-1-131, the Applicant may appeal this decision to the Tribal Court under the process set forth in CLUSITC 7-1-132.

(e) When the Tribal Council approves, by a majority vote, enrollment of an Applicant, the Tribal Council shall adopt a resolution approving the Applicant's enrollment.

7-1-39 Enrollment of New Tribal Members

(a) When the Tribal Council makes a resolution approving enrollment, the Enrollment Coordinator shall notify the Applicant of his or her enrollment in the Tribes by mail.

(b) A person admitted to membership by majority vote of the Tribal Council shall be entitled to exercise Tribal rights on the date of favorable enrollment action by the Tribal Council.

(c) The Enrollment Coordinator shall officially list each newly enrolled Tribal Member's name on the Roll in proper alphabetical order.

(d) The Enrollment Coordinator shall assign a Roll number to each new Member.

(e) The Enrollment Coordinator shall issue a Tribal identification card for each new Member.

7-1-40 Reconsideration

(a) An Applicant may file a petition with the Enrollment Coordinator, asking the Committee to reconsider a final denial of enrollment, if the Applicant has available for immediate presentation substantial, credible and new evidence supporting the Applicant's eligibility for membership in the Tribes. Any petition for reconsideration must be filed within one hundred twenty (120) calendar days of a final denial of enrollment, unless the Committee finds good cause to the contrary.

(b) Upon consideration of the new evidence, a finding by the Committee that substantial, credible and new evidence does not exist to reconsider an Application for Enrollment is a final decision not subject to any further appeal.

(c) If the Committee determines that the new evidence supports the Applicant's eligibility for membership in the Tribes and the Committee, by majority vote, determines that the enrollment of the Applicant should be approved, the Enrollment Coordinator

shall publish this information in accordance with CLUSITC 7-1-36(i) and present this finding to the Tribal Council for final action in accordance with this Code.

7-1-41 to 7-1-50 Reserved for expansion.

7-1-51 Indian Child Welfare Emergency Enrollment:

(a) An application for membership of a child who is the subject of any action for foster care placement or termination of parental rights shall be presented directly to the Tribal Council for final action.

(b) The requirements of the Enrollment Committee for processing applications for membership enumerated in this Code shall be waived for the purposes of applications for membership of a child who is the subject of any action for foster care placement or termination of parental rights.

7-1-52 Eligibility of Newborns for Service Benefits

(a) Upon submission of a newborn's Application for Enrollment and completed Family Tree Form evidencing proof of lineal decent, newborn children who are not yet enrolled in the Tribes but who are lineal descendants of an enrolled Member(s) shall be eligible for health, social services, Indian Child Welfare, and emergency services that are provided by the Tribes to Members. Such children shall not be considered to be enrolled Members during this period.

(b) Proof of lineal descent may be provided to the Enrollment Coordinator before or after the time of birth. Newborn service benefits will not be provided until the Enrollment Coordinator approves the request.

(c) Parents or guardians of newborn children seeking newborn service benefits shall submit newborn children to DNA testing, in accordance with CLUSITC 7-1-35, within the first month after birth. Continuation of benefits through the first six (6) months of birth shall be contingent on the Tribes receiving a positive DNA test. A negative DNA test will result in the suspension of newborn service benefits. A parent or guardian who cannot reasonably obtain a DNA test within the first month after birth may apply to the Enrollment Coordinator for an extension of time. The application must state in detail the conditions that prevent the timely DNA test submission and the amount of additional time sought. Extensions may be approved in the sole discretion of the Enrollment Coordinator for a length of time that the Enrollment Coordinator deems to be appropriate under the circumstances.

(d) Newborn service benefits will cease on the later date of: (1) six (6) months after birth; or (2) six (6) months from the date stamp applied to the completed Application for Enrollment received under CLUSITC 7-1-34(d). Newborn service benefits may continue beyond six (6) months from the date stamp applied to the completed Application for Enrollment received under CLUSITC 7-1-34(d) up through the date of the resolution approving or denying membership pursuant to CLUSITC 7-1-38. If membership is

denied, services shall cease on the date the Tribal Council denies membership pursuant to CLUSITC 7-1-38(b) and no newborn service benefits shall be provided during any reconsideration or appeal period. Services shall only be reinstated from the date of the resolution approving membership after voluntary reconsideration by the Tribal Council pursuant to CLUSITC 7-1-40 or remand for reconsideration after appeal pursuant to CLUSITC 7-1-132.

7-1-53 to 7-1-90 Reserved for expansion

7-1-91 Adoption

(a A person who does not meet the requirements for membership set forth in the Constitution and this CLUSITC Chapter 7-1 and who is adopted by a Tribal Member(s) shall not be eligible for membership in the Tribes, shall not have the rights and privileges of Tribal Members, and shall not be eligible for Tribal Services.

(b) The Tribal Council may, by majority vote, adopt honorary members into the Tribes. Honorary members shall not be eligible for Tribal services, shall not be eligible to have membership voting rights, and shall not be considered enrolled Members. In order to avoid misunderstandings and mistakes, honorary members shall not be assigned Roll numbers.

7-1-92 to 7-1-120 Reserved for expansion.

7-1-121 Disenrollment

(a) No person shall be disenrolled from the Tribes unless the person fails to meet the requirements for membership set forth in Article III of the Tribes' Constitution.

(b) The Enrollment Department of the Tribes may file a written Disenrollment Recommendation with the Committee. The recommendation shall state upon what grounds disenrollment is sought and shall include a brief summary of the facts upon which the recommendation is based. A Special meeting of the Enrollment Committee may be called for this purpose.

(c) The decision on the matter of the Enrollment Committee will be sent to Tribal Council for review and by Resolution either accept or deny the Recommendation of the Enrollment Committee.

(d) If Tribal Council denies the recommendation, then the Enrollment Department will store this action in the members permanent record, with no further action.

(e) If Tribal Council approves the recommendation, then the Enrollment Department shall cause the recommendation to be served upon the person whose disenrollment is sought by registered mail or by personal service. The Enrollment Department shall allow the person against whom the disenrollment is sought (30) days to file a written response to the claims of the Enrollment Department.

(f) The Tribal Council shall hold an open hearing, not less than twenty (20) days nor more than sixty (60) days after the receipt of the response of the person whose disenrollment is sought, to hear all evidence.

(g) At the hearing, all relevant evidence, written or oral, shall be considered by the Tribal Council. The Enrollment Department shall have the burden of proving by

preponderance of the evidence that the recommendation should be approved. The person whose disenrollment is sought may be represented by counsel of his or her choosing, at his or her own expense.

(h) Within thirty (30) days following the hearing, the Tribal Council shall decide, by majority vote, the final decision on the matter.

(i) Prior to disenrollment of a Member, the Tribal Council shall issue written findings of fact and conclusions of law which may be deemed confidential at the request of the Member.

(j) When the Tribal Council, by a majority vote, disenrolls a Member, the Tribal Council shall adopt a resolution, and the resolution shall constitute a final action for purposes of this Code. The disenrolled person's name will then be removed from the Roll by resolution of the Tribal Council. In accordance with CLUSITC 7-1-131, the Applicant may appeal this decision to the Tribal Court under the process set forth in CLUSITC 7-1-132.

(k) If a Member is disenrolled due to having obtained enrollment by fraudulent action for which the disenrolled person is culpable, the Tribes shall have the right to recover the value of all Tribal benefits provided to the disenrolled person during the term of the person's enrollment with the Tribes.

7-1-122 Suspension of Tribal Benefits

(a) If Tribal Council votes for disenrollment, all Tribal benefits otherwise available to a Member whose enrollment is challenged shall be suspended pending the disposition of any appeal of the Tribal Council's decision.

(b) If Tribal Council decision to disenroll a Member is not appealed before the applicable deadline or is affirmed on appeal, all benefits held in suspension will be released to the Tribes and the disenrolled person's eligibility for Tribal member benefits shall cease.

(d) If Tribal Council votes against disenrollment, or if a Tribal Council decision to disenroll a Member is reversed on appeal, any suspension of Tribal benefits will be lifted and amounts held in suspension will be paid to the Member, without interest.

7-1-123 Relinquishment of Membership

(a) Any adult Member may relinquish membership in the Tribes by submitting, to the Enrollment Coordinator, a notarized, verified statement expressing a desire to relinquish all of the Member's rights in the Tribes.

(b) The Enrollment Coordinator shall immediately convey the Request for Relinquishment to the Tribal Council.

(c) Approval of requests for relinquishment of all Tribal rights shall be by majority vote of the Tribal Council. The relinquished Member's name will then be removed from the Roll by resolution of the Tribal Council.

(d) Where the Member requesting relinquishment of all Tribal rights is intending to enroll in another Indian tribe, the Member may request, and the resolution to allow relinquishment may state, that the Member shall not be removed from the Roll until the Member has been enrolled in the tribe in which the Member seeks membership.

(e) No one who relinquishes his or her membership in the Tribes shall be admitted again to the Tribes or be placed on the Roll.

7-1-124 Deceased Members

(a) The notification of the death of a Tribal Member shall be accomplished by written evidence given to the Enrollment Committee in the form of a Certificate of Death, published death notice or obituary, or memorial service brochure.

(b) The Enrollment Coordinator will handle the paperwork and furnish it to the Enrollment Committee for action.

(c) Following review of the relevant paperwork, the Committee will make a recommendation to the Tribal Council to remove the deceased person's name from the Roll.

(d) The deceased person's name will then be removed from the Roll by resolution of the Tribal Council. The Enrollment Coordinator will enter the deceased person's name in to the Tribal Historical File for a permanent record.

7-1-125 to 7-1-130 Reserved for expansion.

7-1-131 Appeals of Enrollment Decisions

(a) The right to appeal enrollment decisions applies only in cases where: (1) a person has applied for enrollment and has been denied by majority vote of the Tribal Council; or (2) a person has been disenrolled under this Code by majority vote of the Tribal Council.

(b) The Tribal Court shall have exclusive jurisdiction to hear all appeals of disenrollment or enrollment decisions in the manner set out in this Code. No jury trial shall be allowed in disenrollment or enrollment matters.

(c) To the extent necessary for the hearing of appeals under this Code, and as limited by this Code, the Tribes hereby makes a limited waiver of its immunity from suit

in the Tribal Court for the purpose of hearing appeals from disenrollment and denial of enrollment final decisions of the Tribal Council.

(d) The only grounds for appeal of a disenrollment or enrollment decision under this Section shall be that: (1) the findings of fact of the Tribal Council are unsupported by substantial evidence as reflected on the record; or (2) the Tribal Council has, by its actions, violated the Constitution of the Tribes.

(e) There shall be, in all appeals under this Code, a presumption, rebuttable by the appellant, that the Committee and the Tribal Council have acted properly, consistent with the facts of the case, this Code and the Constitution of the Tribes.

7-1-132 Enrollment Appeals Procedures

(a) Any party who has been disenrolled or denied enrollment by the Tribal Council may file a written petition with the Tribal Court within thirty (30) days after such final decision.

(b) Prior to filing a petition for judicial review, the petitioner shall serve copies of the petition on the Chief Executive Officer and the Tribal Chairperson.

(c) The filing of a petition shall not stay enforcement of a Tribal Council decision and no request for stay under CLUSITC 2-1-16 is allowed.

(d) The procedures for judicial review provided in CLUSITC 2-1-13 through 2-1-15 shall apply.

(e) If the Tribal Court rules against a petitioner in any appeal under this section, the petitioner shall pay all of the court costs and the reasonable attorney fees of the Tribes expended in defending against the appeal. If the Tribal Court rules for a petitioner in any appeal under this Section, each party shall bear his or her own expenses unless there is a finding that the Tribes acted in bad faith in disenrolling or refusing to enroll the appellant.

(f) In matters appealed under this section, the Tribal Court is limited to declaratory relief and remand to the Tribal Council for reconsideration. An Applicant denied the right to enroll shall not, under any circumstances, be awarded damages of any type, monetarily or otherwise, against the Tribes, its employees, Committee members, agents, or officers. A Tribal Member who has been disenrolled shall not, under any circumstances, be awarded damages of any type, monetarily or otherwise, against the Tribes, its employees, Committee members, agents, or officers.

7-1-133 to 7-1-140 Reserved for expansion.

7-1-141 Enrollment Records, Generally

(a) Once an Applicant's records are received by the Enrollment Department, they become the property of the Tribes.

(b) The Enrollment Coordinator shall maintain appropriate records to support the recommendations of the Enrollment Committee and the Tribal Council, and will maintain an accurate Roll. The Enrollment records shall include copies of documents received to support applications for membership.

(c) The names, ancestry and enrollment numbers of enrolled Tribal Members are matters of public record except that ancestry may be deemed confidential if the Tribal Council determines, upon request of the Tribal Member, that confidentiality is necessary to protect the health and welfare of a Tribal Member including, but not limited to, cases in which the member claims lineage through a natural parent who gave the Tribal Member up for adoption or who had parental rights terminated due to abuse or neglect of the Tribal Member. Other information provided by an Applicant in support of an Application for Enrollment, which is not otherwise contained in public records of a federal, state or local government, will be maintained as confidential and shall not be released unless otherwise provided for under federal or Tribal law, in response to a claim or protest brought by or on behalf of the Applicant, or to further or protect the health or welfare of a Tribal Member, as determined by the Tribal Council.

(d) As an exception to CLUSITC 7-1-141(c), the Chief Executive Officer may authorize, in writing, the Enrollment Coordinator to release the names, addresses (mail and e-mail) and phone numbers to designated Tribal employees or Tribal departments as necessary for the conduct of Tribal business and to protect and promote the welfare of Tribal Members. The requestor shall use a form provided by the Enrollment Coordinator for any such request.

7-1-142 Basic Roll

(a) The Enrollment Coordinator will develop a Basic Roll for the Tribes. This Roll will contain all of the names, in alphabetical order, of those Members who were enrolled from the date of the Tribes' Restoration until the Constitution was adopted on May 23, 1987. Numbers will be assigned on an alpha/numerical basis of this Basic Roll (i.e., the first person on the Roll will have the number 0001, and the tenth Member will have the Roll number of 0010).

(b) All Members added after the date of the adoption of the Constitution will have his or her name put on the Roll in alphabetical order, but will be given a Roll number consistent with the order of his or her entry into the Tribes as a certified Tribal Member.

(c) Tribal Member Names, Base Ancestors, and Date of Enrollment shall be posted at all Tribal Offices unless a Tribal Member submits a written request to "opt out" of the posting of his/her name.

7-1-143 Name and/or Gender Changes and Other Corrections to the Roll

(a) A Member requesting a change or correction to the Roll (e.g., name change because of marriage, divorce, adoption, etc. and/or change to gender) shall provide the

request, in writing, to the Enrollment Coordinator, along with supporting legal documentation, if applicable.

(b) The Enrollment Coordinator shall provide the proposed changes (including any corrections required due to current errors on the Roll) to the Enrollment Committee.

(c) The Enrollment Committee will take action and make the appropriate recommendation to the Tribal Council for final action by resolution. If approved, the Enrollment Coordinator will make subsequent notification to the member requesting the change or correction.

(d) During the processing period, the Member shall be entitled to all Tribal rights, including voting rights, pending the final action by the Tribal Council.

(e) A gender change recognized by the authority of a tribe, state, or country shall be recognized by the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians.

7-1-144 Sovereign Immunity

Nothing in this Code shall be construed to have waived the sovereign immunity of the Tribes, any tribal entity, department or program, or any tribal official or employee, except as specifically and explicitly described herein.

7-1-145 Severability

If any provision of this Enrollment Ordinance, shall in the future, be declared invalid by a court of competent jurisdiction, the invalid portion shall be severed and the remaining provision shall continue in full force and effect.

APPENDIX A

LEGISLATIVE HISTORY AND EDITORIAL CHANGES

ENROLLMENT

LEGISLATIVE HISTORY AND EDITORIAL CHANGES

The Tribal Council of the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians approved an emergency amendment to Code 7-1 Enrollment to incorporate the approved Constitutional Amendments on a Special meeting held May 21, 2026 by Resolution 26-101. Vote was 7 (for), 0 (against), and 0 (abstaining) Creating Ordinance 050J.

The Tribal Council of the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians approved an emergency amendment to Code 7-1 Enrollment on October 29, 2025 by Resolution 25 -194. Vote was 7 (for), 0 (against), and 0 (abstaining). Creating Ordinance 050I.

The Tribal Council of the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians approved proposed amendments to Code 7-1 Enrollment for Second Reading and Final Approval on July 11, 2021 by Resolution 21-068 amending section 7-1-142 and 7-1-143 to provide for changes and corrections to the Roll to recognize changes in gender identity of Tribal Members. Vote was 7 (for), 0 (against), and 0 (abstaining). Creating Ordinance O50H.

The Tribal Council of the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians approved proposed amendments to Code 7-1 Enrollment for First Reading on April 28 2021 by Resolution 21-046. Vote was 7 (for), 0 (against), and 0 (abstaining).

The Tribal Court Clerk at the direction of the Chief Executive Officer and with the consent of the Tribes' General Counsel is authorized to administratively correct any reference to Tribal Administrator to Chief Executive Officer on October 11, 2020. These changes are technical in nature and do not effect a substantive change to the Code.

The Tribal Council of the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians enacted the revisions to Code 7-1 Enrollment by Ordinance No. 050G on April 10, 2016. Vote was 7 (for), 0 (against), 0 (absent) and 0 (abstaining).

The Tribal Council of the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians enacted the revisions to Code 7-1 Enrollment by Ordinance No. 050F on July 13, 2014. CLUSITC 7-1-151 to 7-1-153 were moved to the Elections Code as CLUSITC 7-3-48 to 7-3-50. Vote was 6 (for), 0 (against), 0 (absent) and 0 (abstaining).

The Tribal Council of the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians enacted the revisions to Code 7-1 Enrollment by Ordinance No. 050E on October 24, 2012. Vote was 4 (for), 0 (against), 2 (absent) and 0 (abstaining).

The Tribal Council of the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians enacted the revisions to Code 7-1 Enrollment by Ordinance No. 050D on June 29, 2011. Vote was 7 (for), 0 (against), and 0 (abstaining).

The Tribal Council of the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians enacted the revisions to the Enrollment Ordinance No. 050B by Resolution 09¬017 and renumbered the same to Ordinance No. 050C on February 8, 2009. Vote was 6 (for), 1 (against), and 0 (abstaining).

The Tribal Council of the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians enacted the revisions to the Enrollment Ordinance No. 050A by Resolution 07¬100 and renumbered the same to Ordinance No. 050B on September 9, 2007. Vote was 6 (for), 0 (against), and 0 (abstaining).

The Tribal Council of the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians enacted the revisions to the Enrollment Ordinance No. 050 by Resolution 05¬108 and renumbered the same to Ordinance No. 050A on December 11, 2005. Vote was 6 (for), 1 (against), and 0 (abstaining).

The Tribal Council of the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians adopted the revisions to the Enrollment Ordinance No. 016 by Resolution 02-062 and renumbered the same to Ordinance No. 050 on November 10, 2002. Vote was 4 (for), 2 (against), and 0 (abstaining).

The Tribal Council of the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians approved the revisions to the Enrollment Ordinance No. 006 by Resolution 95¬044 and renumbered the same to Ordinance No. 016 on August 28, 1995. Vote was 5 (for), 2 (against), and 0 (abstaining).

The Tribal Council of the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians adopted the revisions to Enrollment Ordinance No. 006 by Resolution No. 89-069, at a Tribal Council meeting on September 21, 1989. Vote was 5 (for), 1 (against), and 0 (abstaining).

The Tribal Council of the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians adopted the Enrollment Ordinance No. 006 (which superseded Ordinance No. 004) at a Tribal Council meeting on May 7, 1989. Vote was 7 (for), 0 (against), and 0 (abstaining).

The Tribal Council of the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians adopted the revisions to Enrollment Ordinance No. 004 by Resolution No.

88¬043, at a Tribal Council meeting on July 10, 1988. Vote was 2 (for), 1 (against), and 2 (abstaining).

The Tribal Council of the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians adopted the Enrollment Ordinance No. 004 at a Tribal Council meeting on April 10, 1988. Vote was 4 (for), 2 (against), and 0 (abstaining).

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