

QUILEUTE TRIBE

Enrollment Ordinance

I. General Provisions

1. Authority

The authority for this Quileute Enrollment Ordinance is found in the Constitution of the Quileute Tribe, Article II, Section 2 and Article VI, Section 1 (h).

2. Background and Intent

The Quileute Tribal Council recognizes that an Enrollment Ordinance benefits the Tribe and Tribal members by establishing clear, consistent standards for enrollment, reducing confusion and disputes, and promoting fairness in enrollment decisions. This Ordinance also reaffirms Tribal sovereignty by confirming the Tribe's authority to define its membership, support cultural continuity, and protect future generations by enabling eligible persons to enroll. Additionally, this Ordinance promotes transparency, administrative efficiency, and long-term planning for Tribal programs and services. Accordingly, the Quileute Tribal Council adopts this Quileute Enrollment Ordinance for the purposes set forth below.

3. Purpose and Scope

The purpose of this Quileute Enrollment Ordinance is to provide for the development and maintenance of an accurate membership roll of the Tribe, and to ensure the integrity and accuracy of the roll, as required by Articles II and VI of the Tribal Constitution. This Quileute Enrollment Ordinance also establishes an orderly and uniform process for obtaining membership in the Quileute Tribe and for addressing related topics involving enrollment, relinquishment, and disenrollment.

4. Definitions

For purposes of this Ordinance, the following words and phrases have the following meanings:

- (a) "Adult" means an individual who is eighteen (18) years of age or older.
- (b) "Applicant" means an adult who has submitted, or a an individual who is a minor or incompetent who has had submitted on the individual's behalf as authorized in this Ordinance, an application for enrollment in the Tribe.
- (c) "BIA" means the federal Bureau of Indian Affairs.
- (d) "Born to any member of the Tribe" means the biological child of a Quileute Tribal member who was duly enrolled in the Quileute Tribe under the Tribe's Constitution and laws at the time an enrollment application is submitted and at all times thereafter until a final decision on the enrollment application is issued (or, if the Tribal member is deceased, was duly enrolled in the Quileute Tribe at the time of death). In unusual circumstances, Tribal Council may waive the enrollment requirement for the Tribal member, provided it is otherwise possible to prove by a preponderance of the evidence that the applicant is the biological child of a Quileute Tribal member.

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- (e) “Disenroll” means to take (and “disenrollment” refers to the taking of) official Tribal government action under this Ordinance revoking an individual’s membership in the Quileute Tribe.
 - (f) “Dual enrollment” refers to the status of being enrolled in the Quileute Tribe and also enrolled in another federally recognized Indian tribe, or recognized as a member of another federally recognized Indian tribe for purposes of receiving benefits from the other tribe.
 - (g) “Enroll” means to take (and “enrollment” refers to the taking of) official Tribal government action under this Ordinance making an individual a member of the Quileute Tribe.
 - (h) “Enrollment Board” or “Board” means the Quileute Enrollment Board established pursuant to this Ordinance.
 - (i) “Enrollment Clerk” means the Tribal employee tasked with carrying out the duties and responsibilities of the Enrollment Clerk prescribed by this Ordinance.
 - (j) “Enrollment Office” means the office established pursuant to this Ordinance and its staff employed by the Quileute Tribe to administer this Enrollment Ordinance.
 - (k) “Enrollment record” or “record” means the electronic or physical documentation relating to an enrollment application, an individual’s enrollment in the Tribe, an individual’s relinquishment of membership in the Tribe, and an individual’s disenrollment from the Tribe.
 - (l) “Immediate relative” means spouse, domestic partner, parents, children, grandparents, grandchildren, and siblings. Step, half, adoptive, foster, and in-law relationships are equivalent to blood relationships for purposes of this definition.
 - (m) “Incompetent” means an individual who has been adjudicated mentally incompetent by a court of competent jurisdiction.
 - (n) “Member” means an enrolled citizen of the Quileute Tribe.
 - (o) “Minor” means an individual who is under eighteen (18) years of age.
 - (p) “Notice” means a written communication issued by the Tribal Council, Enrollment Board, Enrollment Office, or another Tribal department, and sent to an applicant or other individual.
 - (q) “Ordinance” means this Quileute Enrollment Ordinance.
 - (r) “Relinquish” means to voluntarily withdraw one’s membership in the Quileute Tribe.
 - (s) “Resolution” means an official resolution of the Quileute Tribal Council.
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- (t) “Tribal Council” means the Quileute Tribal Council, which is the governing body of the Tribe.
 - (u) “Tribal Roll” means the official list of enrolled members of the Quileute Tribe maintained by the Enrollment Office.
 - (v) “Tribe” means, and “Tribal” refers to, the Quileute Tribe.

All other words and phrases have their ordinary and customary meanings.

II. Membership Requirements

1. General Requirements

The requirements to qualify as a member of the Quileute Tribe are set out in Article II of the Quileute Constitution. The citizenship of the Tribe consists of: (a) All persons of Indian blood whose names appear on the official census roll of the Tribe as of April 1, 1935; and (b) All children born to any member of the Tribe; provided that no member may be enrolled in another federally recognized Indian tribe.

2. Adopted Individuals

Individuals who are adopted by a Quileute Tribal member are not eligible for enrollment unless they were born to a member of the Tribe. All individuals enrolled under this Ordinance must be the biological child of a Quileute Tribal member.

3. Dual Enrollment Prohibited

Dual enrollment is prohibited. No individual who is currently a member of another federal recognized Indian tribe (or recognized as a member of another federally recognized Indian tribe for purposes of receiving benefits from the other tribe) is eligible for enrollment in the Quileute Tribe.

4. No Membership After Relinquishment

An individual whose membership in the Quileute Tribe was previously relinquished is not eligible for membership.

III. Quileute Enrollment Board

1. Establishment and Composition of Board

Tribal Council hereby establishes the Quileute Enrollment Board to advise Tribal Council on matters relating to enrollment and membership in the Tribe and to carry out the related responsibilities assigned to it by this Ordinance. The Board will consist of five Board Members appointed by Tribal Council.

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2. Responsibilities of Board

The Enrollment Board is advisory in nature and will have no independent decision-making authority over enrollment decisions, personnel matters, or other matters. The responsibilities of the Board include:

- (a) Keep, or cause to be kept, a complete and accurate record of all Board meetings, including written documentation of all motions and resolutions passed by the Board;
- (b) Recommend to Tribal Council for approval any bylaws, regulations, policies, procedures, and rules necessary to govern the activities of the Board;
- (c) Recommend to Tribal Council for approval any regulations, policies, procedures, rules, and forms necessary to implement the provisions of this Ordinance;
- (d) Make recommendations to Tribal Council for any amendments to this Ordinance the Board believes to be necessary or desirable;
- (e) Keep, or cause to be kept, complete and accurate Tribal enrollment records;
- (f) Monitor the implementation of enrollment activities in accordance with BIA requirements and applicable laws, regulations, and policies;
- (g) Review all enrollment applications and supporting documentation received, and recommend approval or denial of the applications to Tribal Council, in accordance with the standards of the Constitution, this Ordinance, and any regulations or policies approved by Tribal Council;
- (h) In the event that the Board receives information (whether from the Enrollment Office or other individuals) indicating that one or more of the grounds for disenrolling a Tribal member may exist, review that information, conduct such additional inquiries and document review as may be necessary, and make a recommendation to Tribal Council as to whether the member should be disenrolled or not.
- (i) Review any blood quantum corrections recommended by the Enrollment Clerk, including any supporting documentation received, and provide a recommended decision on the proposed correction to Tribal Council;
- (j) Maintain (and ensure that the Enrollment Office maintains) strict confidentiality of all enrollment and membership records;
- (k) Attend and participate in Tribal Council meetings if and as required;
- (l) Coordinate and provide, or cause to be provided, all necessary reports to Tribal Council and the BIA;
- (m) Review and recommend for Tribal Council approval an annual budget for the Enrollment Board and Enrollment Office; and
- (n) Take all other appropriate action necessary to implement the provisions of this Ordinance, subject to the oversight of Tribal Council.

3. Term of Office

Enrollment Board Members will serve staggered, three-year terms. In order to stagger the terms, for the first five Board Members appointed, two Board Members will serve three-year terms, two Board Members will serve two-year terms, and one Board Member will serve a one-year term. Upon expiration of those initial terms, all terms will be three-year terms.

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4. Meetings.

The Enrollment Board must schedule and hold regular meetings at least monthly, unless there is no pending Board business in a given month. Special meetings of the Board may be called by the Chairperson or by any three Board Members, with appropriate notice to all Board Members. Board Members must attend meetings in person and must attend at least two-thirds of the regularly scheduled meetings per year. Absences must be excused in advance by the Board Chair. Remote attendance is permitted only under extenuating circumstances, with the advance approval of the Board Chair. The Board will give Tribal Council notice of all Board meetings, and Tribal Council members may attend any Board meetings.

5. Quorum; Action by Majority Vote

A quorum of at least four Enrollment Board Members is required in order to conduct Board business. The Board will make decisions by majority vote of the Board Members in attendance at any meeting at which there is a quorum.

6. Board Member Qualifications

All Enrollment Board Members must be enrolled members of the Tribe, over the age of 21, and eligible to vote in all Tribal elections. No current Tribal Council member may serve on the Board (except in a non-voting liaison or ex officio capacity). No current employee of the Enrollment Office may serve on the Enrollment Board. In addition, Board Members must:

- (a) Not have been convicted (or entered a plea of guilty or nolo contendere) in any tribal, state, or federal court of a crime of dishonesty (*e.g.*, fraud, embezzlement, money laundering, perjury, etc.); or, within the past seven years: any felony (other than a conviction for asserting Quileute Tribal treaty rights in compliance with all applicable Quileute Tribal laws, regulations, and policies), or of a misdemeanor involving violence, sexual misconduct, intoxication, or controlled substances;
- (b) Not have been terminated from employment with the Quileute Tribe for violations which the Tribal Council determines to violate the Quileute Code of Ethics;
- (c) Not have been determined within the last seven years to have violated this Enrollment Ordinance or the Quileute Drug- and Alcohol-Free Workplace Policy;
- (d) Pass a drug test and criminal background check;
- (e) Possess in-depth knowledge of the Tribal community; and
- (f) Have a demonstrated ability to maintain strict confidentiality, neutrality, and complete and accurate records; and adhere to applicable laws, regulations, and policies, including applicable ethical standards.

In the event that an Enrollment Board Member becomes ineligible to serve on the Board for one of the reasons set forth in subsections (a) through (c), above (or is arrested for or charged with a

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crime that would render the Board Member ineligible if convicted), the Board Member must inform the Enrollment Clerk and Tribal Council of such occurrence within three business days.

Except where superseded by this Ordinance, Board Members are generally subject to the Tribe's Personnel Policies & Procedures and Code of Ethics.

7. Selection of Board Members

Tribal Council (or its designee) will solicit the interest of Tribal members in serving on the Enrollment Board. Any Tribal member who wishes to announce their candidacy for a position on the Board must submit a letter of interest and résumé to Tribal Council (or its designee) no later than the deadline established by Tribal Council for such submission of such letters. Tribal Council (or its designee) will review the submitted materials and compile a list of proposed Board members from the interested and qualified candidates. Tribal Council will appoint Board Members from the interested and qualified candidates. In the unlikely event that there are not sufficient Tribal members willing or qualified to serve on the Board, Tribal Council may temporarily appoint Tribal member employees of the Tribe (but not employees of the Enrollment Office) to fill a Board position, with the advice and consent of the Tribe's General Manager.

8. Election of Executive Officers

Each time a new Board Member joins the Enrollment Board, the Board Members will elect executive officers consisting of a Chairperson, Vice-Chairperson, and Secretary. Elected executive officers will serve until one or more new Board members are appointed.

9. Duties of Executive Officers

- (a) Chairperson. The Chairperson has the duty to:
 - i. Call Board meetings to order and preside over Board meetings;
 - ii. Sign all approved minutes, resolutions, and action items as needed;
 - iii. In urgent situations, call for a special meeting;
 - iv. Recognize speakers to maintain order;
 - v. Limit the time for a certain topic in order to stay on task;
 - vi. Maintain order in the event a speaker or topic is out of order or inappropriate; and
 - vii. Serve as liaison to Tribal Council.
- (b) Vice-Chairperson. In the absence of the Chairperson, the Vice-Chairperson is responsible for fulfilling the duties of the Chairperson.
- (c) Secretary. The Secretary has the duty to:

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- i. Prepare the agenda for Board meetings;
 - ii. Take notes and keep minutes of all Board meetings, and record all motions verbatim (or arrange for an appropriate delegee, if approved by the Board);
 - iii. Maintain records of Board Members' attendance, late arrivals, and early departures;
 - iv. In the absence of the Chairperson and Vice-Chairperson, fulfill the duties of the Chairperson;
 - v. Prepare and circulate draft minutes for approval at the next Board meeting; and
 - vi. Manage correspondence and reporting.

10. Recusal of Members

- (a) **Mandatory Recusal.** A Board Member must recuse themselves from participating in any discussion or decision involving the Board Member, an immediate relative of the Board Member, or an individual with whom the Board Member has a pending legal dispute. A Board Member must also recuse themselves if the Board Member has a financial, legal, or political interest in the outcome of a matter, or has any other actual conflict of interest. Board Members must immediately disclose any such conflicts of interest.
- (b) **Optional Recusal.** A Board Member may, but is not required to (unless required by the Board pursuant to subsection (d), below), recuse themselves from participating in any discussion or decision involving a close friend or a relative who is not an immediate relative. In such event, if the Board Member does not recuse themselves, the Board Member must disclose the relationship to the Board on the record before the discussion or decision.
- (c) **Other Circumstances.** Even if not specifically required, a Board Member should recuse themselves if the Board Member believes that:
 - i. The Board Member cannot act fairly or without bias; or
 - ii. There is, or may be, a perception of impropriety or a perception that the Board Member cannot act fairly and impartially.
- (d) **Request for Recusal.** The Board, a Board Member, or any other interested party may request recusal of a Board Member if they believe that the Board Member is unable to act impartially and fairly due to a conflict of interest or relationship of any kind. In such event, the Board may, without the participation of the Board Member whose recusal is requested, hear arguments, review any evidence, and make a determination whether to require recusal. The Board's decision is final and not subject to appeal.
- (e) **Recording of Recusal.** All recusals must be recorded in the meeting minutes.
- (f) **Recusals Preventing Quorum.** If recusals prevent a quorum of the Board, the Board may refer an issue to Tribal Council for decision.

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11. Vacancies

If a Board Member's position becomes vacant before the end of the Board Member's term, whether because of removal, resignation, or any other reason, Tribal Council will appoint a successor to serve for the remainder of the term.

12. Resignation

A Board Member may resign at any time by delivering a written resignation to the Chairperson of the Board or, if the Chairperson is resigning, to the Vice-Chairperson. The Board must promptly provide notice of the resignation to the Tribal Council Chairperson and to the Enrollment Office. The resignation will be effective upon receipt, unless otherwise provided by its terms and agreed to by the Board.

13. Removal

A Board Member may be removed by Tribal Council in accordance with the process set forth in the Tribe's Manual of Operations, for one or more of the following reasons:

- (a) Inefficiency, negligence, or carelessness in the performance of duty;
- (b) Being convicted (or entering a plea of guilty or nolo contendere) of any crime included in Section 6(a) of this Part;
- (c) Refusing to submit to, or failing, a required drug/alcohol test;
- (d) Conduct bringing disrepute to the Tribe;
- (e) Soliciting or accepting bribes or quid pro quos, or other abuse of authority;
- (f) Missing or remotely attending three or more consecutive regular meetings, or more than one-third of the regular meetings per year, without good cause (in the determination of the Board);
- (g) Violation of applicable laws, regulations, policies (including, without limitation, the Tribe's Personnel Policies and Procedures, Code of Ethics, and Drug- and Alcohol-Free Workplace Policy), or Tribal Council directives;
- (h) Breach of confidentiality or misuse of confidential information; and
- (i) Failure to disclose a conflict of interest or to recuse oneself in the event of a conflict of interest.

14. Reporting Requirements

Without limiting the generality of Section 2(m) of this Part, the Enrollment Board must:

- (a) Make all meeting agendas, minutes, and other documentation of its activities available to Tribal Council upon request; and
- (b) Submit reports to Tribal Council at least yearly, or more frequently upon request, documenting the activities of the Enrollment Board and Enrollment Office, including the number and status of enrollment applications received; the number of new members enrolled; the number of denials and reasons for such; any applications held in pending status and reasons for such; any pending disenrollment matters; any pending blood quantum corrections; any pending appeals; any trends, policy issues, or areas of concern observed during the relevant reporting period; and any other items requested by Tribal Council.

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15. Stipend

Tribal Council may authorize payment of a stipend to members of the Enrollment Board for their service on the Enrollment Board, in accordance with the standards established in the Quileute Tribe Manual of Operations.

IV. Enrollment Office

1. Establishment; Staff

Tribal Council hereby establishes an Enrollment Office to carry out the day-to-day administrative functions necessary to implement and enforce this Ordinance. Tribal Council will employ an Enrollment Clerk and such other enrollment staff Tribal Council determines are necessary to carry out the functions identified in this Ordinance. The Enrollment Board will not have supervisory authority over the Enrollment Clerk or other Enrollment Office staff.

2. Authority and Duties of Enrollment Clerk

The Enrollment Clerk will not make enrollment decisions. However, the Enrollment Clerk plays a critical behind-the-scenes role in administering enrollment functions for the Tribe. The Enrollment Clerk will have the responsibility to take the day-to-day administrative actions reasonably necessary to implement and enforce this Ordinance, including the following, subject to applicable laws, regulations, and policies:

- (a) Administer the Enrollment Office and its operations;
- (b) Annually prepare a proposed budget for the Enrollment Board and Enrollment Office, and administer the budget approved by Tribal Council for the Enrollment Board and Enrollment Office;
- (c) Subject to the Enrollment Board Secretary's approval, draft and distribute meeting notices, agendas, and minutes for Enrollment Board meetings;
- (d) Confidentially and securely maintain an accurate, complete, and up-to-date Tribal Roll at all times, including, without limitation, the full legal name of all Tribal members, their current addresses, dates of birth, and enrollment numbers; also, record dates of death of deceased Tribal members and promptly remove them from the Tribal Roll;
- (e) Confidentially and securely maintain accurate, complete, up-to-date, and well-organized files and records of all enrollment applications, supporting documentation, any other information gathered and received, recommendations, decisions, and correspondence relating to the same;
- (f) Confidentially and securely maintain accurate, complete, up-to-date, and well-organized files and records for any relinquishment and disenrollment matters, including any information received indicating that one or more grounds for disenrollment of a member may exist, any supporting documentation received, any other information gathered and received, and any recommendations, decisions, and correspondence relating to the same;
- (g) Draft any Enrollment Board bylaws, regulations, policies, procedures, rules, and forms necessary or desirable under this Ordinance and submit them for review and approval by the Enrollment Board (which must then submit them to Tribal Council for final approval);

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- (h) Receive and diligently process all enrollment applications, from start to finish, including carefully reviewing all documentation received, conducting any additional research and information gathering necessary, and drafting (for review and approval by the Enrollment Board and Tribal Council) any recommendations and correspondence regarding the application;
 - (i) Serve as the primary contact point for the receipt of any information indicating that one or more of the grounds for disenrollment of a member may exist, diligently review any information and supporting documentation received, conduct any additional research and information gathering necessary, and draft (for review and approval by the Enrollment Board and Tribal Council) any recommendations and correspondence regarding any potential disenrollment;
 - (j) Prepare and transmit correspondence if and as directed by the Enrollment Board and/or Tribal Council;
 - (k) Issue Tribal IDs to enrolled Tribal members;
 - (l) Monitor deadlines for all required reports to Tribal Council and the BIA, as well as any funding deadlines; draft for the review and approval of the Enrollment Board (and Tribal Council, if required) all required reports to Tribal Council and the BIA, as well as any applications/agreements for funding; and ensure that all such reports and funding applications/agreements are timely submitted as required;
 - (a) Maintain strict confidentiality of all enrollment and membership records;
 - (b) Attend and participate in Enrollment Board and Tribal Council meetings if and as required;
 - (c) Make any recommendations for necessary or desirable amendments to this Ordinance, and submit them for review and approval by the Enrollment Board (which must then submit them to Tribal Council for final approval);
 - (d) Serve as the primary liaison for enrollment matters to Tribal Council, including by ensuring that all documentation necessary for Tribal Council's review is complete, accurate, and timely submitted;
 - (e) Communicate enrollment, relinquishment, and disenrollment decisions, as well as any updates to Tribal member information to individuals and other Tribal departments as directed in this Ordinance;
 - (f) Facilitate Tribal Council's consideration of any permitted appeals by providing any information, documentation, and/or evidence reasonably necessary for Tribal Council to decide the appeal; and
 - (g) Take all other appropriate action necessary to implement the provisions of this Ordinance, subject to the oversight of Tribal Council, and such other action as may be directed by Tribal Council

V. Confidentiality of Tribal Roll and Enrollment Records

1. Confidentiality of Tribal Roll

The Tribal Roll is deemed confidential and must not be shown, copied, or distributed, in whole or in part, to any outside person or organization without Tribal Council authorization. Within the Tribe, the Tribal Roll may be shared only on a need-to-know basis and only to the extent of the need to know. Compromising the confidentiality of, or revealing information from, the Tribal Roll without authorization under this Ordinance may be grounds for employee disciplinary action up to and including termination, removal of a board or committee member, and recall or removal of a

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Tribal Council member.

2. Confidentiality of Enrollment Records

All enrollment records are deemed confidential and must be securely stored and held in strict confidentiality at all times. Enrollment records must not be released, nor may access to enrollment records be allowed, except as permitted under Section 2 of this Part. Compromising the confidentiality of, or revealing information from, enrollment records without authorization under this Ordinance may be grounds for employee disciplinary action up to and including termination, removal of a Board or Committee member, and recall or removal of a Tribal Council member.

3. Access to and Disclosure of Enrollment Records

Enrollment records (other than sealed and other highly sensitive records, which are addressed in subsection 4, below) may only be disclosed as follows:

- (a) Tribal Council, the Enrollment Board, the Enrollment Office, and legal counsel designated by the Tribal Council may request and obtain electronic copies of enrollment records, and may review and copy enrollment records in the Enrollment Office during regular business hours;
- (b) An applicant or Tribal member (or the applicant or Tribal member's custodial parent(s) or court-appointed guardian(s) if under 18) may review the applicant or Tribal member's enrollment records in the Enrollment Office during regular business hours;
- (c) An individual may review in the Enrollment Office during regular business hours the enrollment records of a direct lineal ancestor or descendant of the individual, provided that if the ancestor or descendant is living, the ancestor or descendant (or custodial parent or court-appointed guardian if the ancestor or descendant is a minor or incompetent) must first provide written consent, and further provided that the Enrollment Office will only provide enrollment records for ancestors going back to an individual's grandparents;
- (d) The Enrollment Office may provide limited information from the Tribal Roll (no more than enrollment number, name, date of birth, address, and Certificate of Indian Blood) to other Tribal departments and boards only to the extent necessary to conduct the business of the Tribe, along with a reminder of confidentiality obligations;
- (e) The Enrollment Office may provide confirmation of a minor's enrollment in, or eligibility for enrollment in, the Tribe (or lack thereof, as the case may be) to a state or tribal court in connection with a case to which the Indian Child Welfare Act (and/or a comparable state or tribal law) applies or may apply; and
- (f) As otherwise authorized in writing by Tribal Council, subject to any limitations and requirements prescribed by Tribal Council.

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4. Sealed and Other Highly Sensitive Records

Court records that are sealed by order of the court, records of closed adoptions, records of anonymous sperm/egg donations, DNA test results, confidential Indian Child Welfare records from Quileute Tribal Court, and other records deemed highly sensitive by Tribal Council will be maintained in separate files kept in locked storage cabinets or electronic files with appropriate safeguards to protect their confidentiality, and must not be viewed or accessed by, shared with, or disclosed to anyone other than the Enrollment Clerk, the Enrollment Board, Tribal Council, and legal counsel designated by Tribal Council, all of whom must maintain the strictest confidentiality of such records and all information contained therein.

5. Disclosure Log

The Enrollment Office must keep and maintain a log reflecting each and every disclosure of the Tribal Roll and enrollment records under this Section, including to whom the disclosure was made, in what form, on what date, and for what purpose.

VI. Enrollment Applications

1. Who May Apply

Any adult who believes that they meet the requirements for membership in the Tribe may submit an application for enrollment to the Enrollment Office. An application on behalf of an individual who is a minor or incompetent may be submitted by:

- (a) A custodial parent of a minor (generally the Quileute parent(s) must sign the application, unless unusual circumstances apply, such as that a Quileute parent is deceased, that a Quileute parent does not have custody, or other extraordinary circumstances reasonably preventing a Quileute parent from signing);
- (b) A court-appointed guardian or custodian;
- (c) Another person or agency with custody or guardianship pursuant to an order of a court of competent jurisdiction; or
- (d) The Tribe's Indian Child Welfare Program.

2. Required Application Form

The Enrollment Office must develop an application for enrollment form, subject to approval by the Enrollment Board and Tribal Council. Applicants must use the approved application form.

3. Required Contents of Application

The application form must contain at least the following information:

- (a) Applicant's legal name;
- (b) Any other names by which the applicant is or has been known;

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- (c) Applicant's date and place of birth;
 - (d) Applicant's current address, email, and phone;
 - (e) Name(s) and enrollment number(s) of the applicant's parent(s) enrolled in the Quileute Tribe, and whether the applicant is the biological child of the parent(s);
 - (f) Name(s) and enrollment number(s) of the ancestor(s) on the Quileute base roll to whom Quileute descentancy is traced;
 - (g) The applicant's claimed Quileute Indian blood quantum and claimed Indian blood quantum from any other federally recognized Indian tribe(s);
 - (h) A completed family tree in the form provided by the Enrollment Office;
 - (i) Whether the applicant is enrolled in any other federally recognized Indian tribe;
 - (j) For an applicant who is a minor or incompetent, the name, address, email, phone, and relationship to the applicant of the authorized individual submitting the application on the applicant's behalf;
 - (k) The date the application is filed; and
 - (l) A signed certification by the applicant, or by the authorized individual or agency submitting the application on behalf of an applicant who is a minor or incompetent, affirming that the applicant is not enrolled in any other federally recognized Indian tribe(s) and that all information provided in and with the application is true and correct.

4. Accompanying Evidence

Applicants must submit all required supporting evidence together with their enrollment applications, including at least the following evidence:

- (a) Certified copy of the applicant's birth certificate listing a Quileute Tribal member as one or both parent(s);
- (b) Copy of an official government (federal or state) photo ID of the applicant, unless the applicant is a minor and does not have such a photo ID;
- (c) As applicable, a certified copy of the marriage certificate of the applicant's biological parents, any Acknowledgment of Paternity or Voluntary Recognition of Parentage, any Spouse's Non-Parentage Statement, any court order adjudicating parentage, and/or any other official document(s) evidencing parentage;
- (d) If the applicant's name differs from the name on the applicant's birth certificate, a certified copy of the document(s) evidencing the name change (*e.g.*, marriage certificate, divorce decree, adoption decree, court order changing name, etc.);

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- (e) Certified copy of the document(s) establishing the authority of a person or agency filing on behalf of an applicant who is a minor or incompetent to do so (*e.g.*, adoption decree, divorce decree or parenting plan establishing custody, other court order establishing custody or guardianship, etc.);
 - (f) If the applicant has Indian blood from one or more other federally recognized Indian tribes, any release of information form(s) necessary for the Enrollment Office to verify that the applicant is not enrolled in such other tribe(s).

The Enrollment Office may request additional information and evidence as necessary to determine eligibility for membership. The Enrollment Office may require original documents in order to verify authenticity when it deems necessary. Tribal Council reserves the right to require DNA testing to support parentage when it deems necessary.

5. Relinquishment From Another Tribe

If an applicant is currently enrolled in another federally recognized tribe, the applicant must relinquish membership in the other tribe in accordance with the applicable laws and processes of that tribe. The relinquishment of membership in the other tribe must be final, unconditional, and effective before the applicant is eligible to be enrolled in the Quileute Tribe. The applicant must provide proof of the relinquishment satisfactory to the Enrollment Office. The Enrollment Office will complete processing of the application under Article V only once it has received satisfactory proof of relinquishment.

6. Burden and Standard of Proof

The applicant bears the burden of proof to establish eligibility for enrollment by a preponderance of the evidence. The Enrollment Office is not responsible for researching or preparing documentation to support an application but may require additional information or documentation when needed to determine eligibility.

VII. Processing of Enrollment Applications

1. Processing by Enrollment Office

- (a) The Enrollment Office must date stamp on the date of receipt all enrollment applications, supporting documents, and correspondence regarding enrollment applications received.
 - (b) Within 30 calendar days after receipt of an enrollment application, the Enrollment Office must review the application and supporting documentation for completeness. If the application and supporting documentation is not complete, the Enrollment Clerk must notify the applicant by certified mail, return receipt requested, of what additional information and/or documentation is required. The notice must inform the applicant that processing of the application will be paused and that the application will remain in pending status until the applicant provides all missing information and/or documentation.
 - (c) Within 60 calendar days after receipt of all information and supporting documentation required for a complete enrollment application, the Enrollment
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Office must complete review of the application and the Enrollment Clerk must submit a written recommendation of eligibility for enrollment (or lack thereof, as the case may be) to the Enrollment Board, along with the application, all supporting documentation provided, and any other information gathered or reviewed.

2. Processing by Enrollment Board

- (a) Upon receipt of the Enrollment Clerk's recommendation, the Enrollment Board must review all materials provided by the Enrollment Clerk for completeness and accuracy. If the Enrollment Board determines that the application, supporting documentation, or actions taken by the Enrollment Office are deficient, the Enrollment Board must notify the Enrollment Clerk of any additional action or information required, which the Enrollment Clerk must promptly complete.
- (b) Upon receipt of the Enrollment Clerk's recommendation (or, if applicable, upon the Enrollment Clerk's submission of any materials correcting a deficiency identified by the Enrollment Board), the Enrollment Board must complete review of the application and decide whether to recommend the applicant for enrollment.
- (c) Within 30 calendar days thereafter, the Enrollment Clerk must submit the Election Board's written recommendation of eligibility for enrollment (or lack thereof, as the case may be) to Tribal Council, along with, for applications recommended for approval, a draft resolution, the application, all supporting documentation provided, and any other information gathered or reviewed

3. Processing by Tribal Council

- (a) Upon receipt of the Enrollment Board's recommendation, Tribal Council must review all materials provided by the Enrollment Board for completeness and accuracy. If Tribal Council determines that the application, supporting documentation, or actions taken by the Enrollment Office and/or Enrollment Board are deficient, Tribal Council must notify the Enrollment Board of any additional action or information required, which the Enrollment Board must promptly complete.
- (b) Upon receipt of the Enrollment Board's recommendation (or, if applicable, upon the Enrollment Board's submission of any materials correcting a deficiency identified by Tribal Council), Tribal Council must complete review of the application and must determine the applicant's eligibility for enrollment by majority vote of the members present at a meeting with a quorum. Tribal Council must document its decision via Resolution. No application may be deemed approved, even if Tribal Council fails to meet the foregoing deadline. Tribal Council will promptly notify the Enrollment Board and Enrollment Office of its decision and, if the application was approved, provide them with a copy of the Resolution approving enrollment. The applicant's enrollment will be effective on the date approved by Tribal Council resolution, and eligibility for Tribal benefits, rights, and privileges will be determined as of that date, subject to generally applicable eligibility requirements for such benefits, rights, and privileges.

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4. Expedited Processing

In the event of a pending court case, benefit determination, or other matter in which a determination of the applicant's eligibility for enrollment is urgently needed, the applicant may request expedited processing by submitting a written request to the Enrollment Office describing the matter, the reason for needing expedited processing, and any applicable deadlines or time frames. If the Enrollment Office determines that expedited processing is appropriate, the Enrollment Office will process the application as expeditiously as possible, striving to obtain a final decision within any applicable deadlines or timeframes. The Enrollment Office will notify the Enrollment Board of the need for expedited processing, and the Enrollment Board will notify Tribal Council of the same. The Enrollment Board and Tribal Council will similarly process the application as expeditiously as possible (including by calling special meetings if deemed appropriate), striving to obtain a final decision within any applicable deadlines or timeframes, unless they determine that expedited processing is not necessary or appropriate.

5. Notification of Decision

The Enrollment Office will promptly (within no more than five business days after receipt of Tribal Council's decision) notify the applicant in writing via certified mail, return receipt requested, of Tribal Council's decision. If the application was denied, the Enrollment Office will include notice of any appeal rights, how to exercise them, and the applicable deadline.

6. Enrollment

The Enrollment Office will promptly (within no more than five business days after receipt of a Tribal Council Resolution approving an applicant's enrollment) enter the newly enrolled member's name and information on the Tribal Roll.

7. Tribal ID

- (a) The Enrollment Office will issue a Tribal ID to newly enrolled members. The Tribal member's first Tribal ID, and any updated or renewed ID issued at the direction of Tribal Council, will be issued free of charge. The Enrollment Office reserves the right to establish, with the approval of the Enrollment Board and Tribal Council, a fee schedule for issuance of any additional Tribal IDs.
- (b) Newly enrolled members should apply in person for their Tribal ID whenever reasonably possible and should be prepared to show acceptable identification unless known personally by the Enrollment Office. If a newly enrolled member is not able to apply in person, the member must submit a clear copy of a federal or state government-issued ID or other ID acceptable to the Enrollment Office, together with a photograph meeting the requirements of subsection (c), below.
- (c) Photos submitted by a member for an initial or subsequent Tribal ID must meet the following requirements:

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- i. Be in color and have been taken within the last six months;
 - ii. Show the member's face centered and facing the camera, with both eyes open and looking straight at the camera, and with a neutral expression or natural smile with mouth closed (no teeth showing);
 - iii. Be taken against a plain white or off-white background, free of shadows, textures, images, or objects;
 - iv. Be sharp and in focus;
 - v. Not use any filter(s) and not be retouched or otherwise altered or edited;
 - vi. Not include any glasses, hats, or head coverings, unless for documented religious or medical purposes (in which case, documentation acceptable to the Enrollment Office must be provided and the items in question must not obscure the member's face or hairline);
 - vii. Not include any headphones or wireless devices, such as earbuds; and
 - viii. Feature the member wearing ordinary clothing, not a uniform or clothing resembling a uniform (*e.g.*, camouflage clothing). Solid, dark colors of shirts are recommended.
- (d) The Enrollment Office reserves the right to reject any photo not meeting the applicable requirements.
8. Reapplication
- (a) Denied Applicants and Disenrolled Individuals. An applicant whose application was denied, or an individual who was disenrolled for not meeting the requirements for enrollment (other than the prohibition on dual enrollment) may reapply only if the application is supported by new or additional information and/or evidence, or if the requirements for membership have since changed such that the applicant may newly qualify for enrollment. In the absence or insignificance of new or additional information and/or evidence, or relevant changes in the Constitution or this Ordinance, applications from applicants whose previous applications were denied or who were previously disenrolled will not be considered.
 - (b) Pending Applicants. An applicant whose application was in pending status at the time of any change in enrollment laws, regulations, policies, procedures, or forms, may be required to update the applicant's application or reapply as necessary to comply with current requirements.
9. Enrollment Records

The Enrollment Office must retain the enrollment application, all supporting information and documentation received or reviewed regarding the enrollment application, all correspondence regarding the enrollment application, and a copy of the member's Tribal ID in the member's enrollment records.

VIII. Relinquishment of Membership

1. No Relinquishment for Minors

Membership in the Tribe may not be relinquished by or on behalf of any minor Tribal member.

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2. Relinquishment for Competent Adults

Any adult Tribal member who is not incompetent may seek to voluntarily relinquish membership in the Tribe by submitting a written request to the Enrollment Board. The written request must be signed and notarized and must include an acknowledgment of the permanent and irreversible nature of the requested relinquishment. Any relinquishment must be recommended for approval by the Enrollment Board and approved by Tribal Council. If Tribal Council consents to the relinquishment, it will notify the Enrollment Board and Enrollment Office, and direct the Enrollment Office to remove the individual's name from the Tribal Roll, effective as of that date, and to notify any other Tribal departments who have a need to know of the relinquishment. The individual's eligibility for Tribal benefits, rights, and privileges will also end as of that date.

3. Relinquishment for Incompetent Adults

A person or agency who is the court-appointed guardian or conservator of an adult Tribal member who is incompetent may seek to relinquish the member's membership in the Tribe following the process in subsection (2) of this Section only if it is in the best interests of the member to do so. The person or agency's written request must include an explanation of why it is in the member's best interests to relinquish membership. If there is more than one court-appointed guardian or conservator, all must agree to and sign the written request. There will be a presumption that relinquishment is not in the member's best interests and the burden is on the guardian or conservator to rebut that presumption to the Enrollment Board's and Tribal Council's satisfaction. The Enrollment Board will recommend, and Tribal Council will consent to, the relinquishment only if it determines, in its sole discretion, that relinquishment is in the member's best interests.

4. Return of Tribal ID

An individual who has requested to relinquish the individual's membership in the Tribe must return any unexpired Tribal ID(s) to the Enrollment Office before the relinquishment will be granted.

5. No Enrollment After Relinquishment

An individual whose membership in the Tribe has been relinquished is not eligible for re-enrollment in the Tribe in the future.

6. Relinquishment Records

The Enrollment Office must retain the relinquishment request, all supporting information and documentation received or reviewed regarding the relinquishment request, and all correspondence regarding the relinquishment request in the individual's enrollment records.

IX. Disenrollment

1. Grounds for Disenrollment

A Tribal member may be disenrolled only if:

- (a) The member is or becomes ineligible for membership because of dual enrollment in another federally recognized tribe; or

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- (b) The member did not meet the requirements for enrollment at the time of enrollment and does not meet the current requirements for enrollment.

2. Initial Consideration of Disenrollment Action

- (a) Any person who believes that grounds may exist for disenrollment of a Tribal member may notify the Enrollment Office of the suspected grounds for disenrollment and any information and evidence tending to support the suspected grounds for disenrollment.
- (b) The Enrollment Office will promptly review the information provided and may conduct such further investigation and information gathering as it deems necessary to determine whether grounds for disenrollment appear to exist. If the Enrollment Clerk does not believe grounds for disenrollment exist, the Enrollment Clerk will notify the Enrollment Board and Tribal Council of that, provide them with all relevant information and documentation received and reviewed, and take no further action towards disenrollment unless directed to do so by Tribal Council. If the Enrollment Clerk believes grounds for disenrollment exist, the Enrollment Clerk will submit to the Enrollment Board for consideration at its next regular meeting a written recommendation to proceed with the disenrollment process, together with all supporting information and documentation for the same.
- (c) Upon receiving a written recommendation for disenrollment from the Enrollment Clerk, the Enrollment Board will promptly review the recommendation and all supporting information and documentation, and determine whether grounds for disenrollment appear to exist. If the Enrollment Board does not believe grounds for disenrollment exist, it will notify Tribal Council of that, provide them with all relevant information and documentation received and reviewed (unless already provided by the Enrollment Clerk), and take no further action towards disenrollment unless directed to do so by Tribal Council. If the Enrollment Board agrees that grounds for disenrollment exist, the Enrollment Board will submit to Tribal Council for consideration at its next available regular meeting a written recommendation to proceed with the disenrollment process, together with all supporting information and documentation for the same.
- (d) Upon receiving a written recommendation for disenrollment from the Enrollment Board, Tribal Council will promptly review the recommendation and all supporting information and documentation, and determine whether grounds for disenrollment appear to exist. If Tribal Council does not believe grounds for disenrollment exist, it will notify the Enrollment Board and Enrollment Clerk of that, and no further action will be taken towards disenrollment. If Tribal Council agrees that grounds for disenrollment exist, Tribal Council will promptly notify the Enrollment Board and Enrollment Clerk, and direct the Enrollment Clerk to commence disenrollment proceedings.

3. Notice of Disenrollment Proceeding and Rights

- (a) The Enrollment Office must provide the Tribal member with written notice by certified mail, return receipt requested, of the proposed disenrollment; the initial

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determination that grounds for disenrollment appear to exist; the grounds for disenrollment asserted; the resultant commencement of disenrollment proceedings; the factual allegations and documentation supporting the grounds for disenrollment; the right to a hearing; and the date, time, and location scheduled for such hearing, which date must be no sooner than 30 calendar days after the date of the letter. The notice must further inform the member of the right to submit a written response no later than ten business days before the scheduled hearing and, at the hearing, to review and hear the evidence, confront witnesses, be represented by legal counsel at the member's expense, and present evidence to Tribal Council opposing disenrollment.

- (b) If dual enrollment is the sole ground asserted for disenrollment, the notice will also include a statement that the Tribal member may avoid disenrollment by electing to relinquish membership in any other tribe(s) and providing acceptable documentation evidencing that such relinquishment is final, unconditional, and effective, to the Enrollment Office within 30 days after the date of the letter. If the process for relinquishment of the other tribe(s) takes longer than 30 days through no fault of the Tribal member, such 30-day period may be extended with the approval of Tribal Council at the written request of the Tribal member, which must include an explanation and supporting documentation evidencing that the relinquishment process will take longer than 30 days through no fault of the Tribal member.

4. Hearing

A hearing before the Enrollment Board must take place no sooner than 30, and no later than 120, calendar days after the date of the notice. The hearing will be confidential and closed to all persons except the Enrollment Board, the Enrollment Clerk, the Tribe's legal counsel (if Tribal Council so directs), the person who is the subject of the disenrollment proceeding, that person's legal counsel if they have one, and any witnesses to be called by that person or by the Enrollment Clerk, provided that witnesses may only be present while testifying. The person who is the subject of the disenrollment proceeding will have the right at the hearing to call witnesses and present any evidence relevant to the disenrollment proceeding. If the person who is the subject of the disenrollment proceeding does not attend the hearing, the Enrollment Board may nevertheless proceed to consider the evidence and determine the recommended outcome of the disenrollment proceeding.

5. Burden and Standard of Proof

The Enrollment Clerk will have the burden of proving by clear and convincing evidence that the Tribal member should be disenrolled. In all disenrollment proceedings based upon an allegation that a person was erroneously enrolled, there will be a rebuttable presumption that the person was duly enrolled.

6. Decision

Following the close of the hearing, the Enrollment Board will deliberate in executive session whether, based on the evidence presented, to recommend disenrollment of the Tribal member in question. The Enrollment Clerk will present the Enrollment Board's recommendation and any

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supporting information or documentation requested by Tribal Council to Tribal Council at its next available regular meeting. Tribal Council will decide by a majority vote of the members present at a meeting with a quorum, whether to disenroll the member. Tribal Council must document its decision in a written resolution and must send (or direct the Enrollment Clerk to send) a decision letter by certified mail, return receipt requested, within 10 business days after the hearing. The decision letter must, at a minimum, include a statement of Tribal Council's decision and the grounds therefore, a summary of the findings of fact upon which the decision was based, and, if the decision was to disenroll, a statement of appeal rights. Tribal Council must provide a copy of the decision letter and Resolution to the Enrollment Board and Enrollment Office.

7. Removal From Tribal Roll

The Enrollment Clerk must promptly (within no more than 5 business days after receipt of Tribal Council's decision letter and Resolution) remove the disenrolled individual from the Tribal Roll, effective as of the date of Tribal Council's decision and notify any other Tribal departments who have a need to know of the disenrollment. The individual's eligibility for Tribal benefits, rights, and privileges will also end as of that date.

8. Return of Tribal ID

A disenrolled individual must promptly return any unexpired Tribal ID(s) to the Enrollment Office.

9. Disenrollment Records

The Enrollment Office must date stamp upon receipt and retain all correspondence regarding a potential or actual disenrollment proceeding, all supporting information and documentation received or reviewed regarding the potential or actual disenrollment proceeding, and any hearing records in the individual's enrollment records.

X. Deceased Tribal Members

The Enrollment Office must inform the Enrollment Board and Tribal Council upon learning of a Tribal member's death. The Enrollment Office must obtain and file a copy of the death certificate in the Tribal member's enrollment records as promptly as reasonably possible. The Enrollment Office must promptly (within no more than five business days after receipt of the death certificate) mark the deceased Tribal member as deceased on, and/or remove the deceased Tribal member from, the Tribal Roll, as possible; provide the deceased member's death certificate and Certificate of Indian Blood to the BIA and to the Tribe's Accounting Department; and notify any other Tribal departments with need to know of the confirmed death.

XI. Blood Quantum Correction

1. Initiation

To maintain the accuracy of the Tribal Roll, the Enrollment Office may initiate a correction of Indian blood quantum for a Tribal member, ancestor, and/or descendant after receiving or obtaining evidence that an existing Indian blood quantum may be incorrect. A Tribal member (or custodial parent or court-appointed guardian or conservator of a Tribal member who is a minor or

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incompetent) may request a correction to the Indian blood quantum of the Tribal member, ancestor, and/or descendant.

2. Authorization to Proceed

Before taking any action towards the proposed correction, the Enrollment Clerk must first obtain authorization to do so from the Enrollment Board, providing any information and evidence the Enrollment Board deems necessary to evaluate the proposed correction. If the Enrollment Board agrees with the proposed correction, it must also obtain authorization from Tribal Council to proceed with the proposed correction, providing any information and evidence Tribal Council deems necessary to evaluate the proposed correction, before the Enrollment Office takes any further action.

3. Notice and Opportunity to Submit Evidence

If Tribal Council has authorized the Enrollment Office to proceed with the proposed correction, the Enrollment Office must notify the affected Tribal member and any living ancestors and descendants who are also members and may be affected by the proposed change. The Enrollment Office must provide the affected members with evidence supporting the proposed correction and provide a reasonable opportunity for those individuals to submit evidence supporting or opposing the change.

4. Recommendation and Tribal Council Action

After receiving submissions, or after the submission period expires, whichever comes first, the Enrollment Office will prepare a written recommendation with supporting documentation and submit it to the Enrollment Board for consideration. The Enrollment Board must decide whether a correction is necessary and proper and submit its recommendation to Tribal Council at its next available regular meeting. Tribal Council will determine whether the correction will be made and will notify the Enrollment Board and any affected Tribal member(s) of the same. Only Tribal Council may authorize a change to a Tribal member's Indian blood quantum. If Tribal Council authorizes a change to a Tribal member's Indian blood quantum, it will also authorize any resultant change to the Indian blood quantum of any descendants of the individual who are also Tribal members. A Tribal member aggrieved by a Tribal Council decision regarding an Indian blood quantum correction may appeal under Article XII of this Ordinance.

XII. Other Changes and Updates to Enrollment Records

Upon receipt of proper documentation, the Enrollment Clerk is authorized to update the following information in the Tribal Roll and in a Tribal member's enrollment records, and the following documentation is deemed adequate for such action to be taken:

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1.	Name change	Certified copy of marriage certificate changing name Certified copy of divorce decree changing name Certified copy of court order changing name Certified copy of adoption decree changing name
2.	Address change	Written statement signed by Tribal member (or custodial parent or court-appointed guardian or conservator if Tribal member is a minor or incompetent)
3.	Competence/incompetence	Certified copy of court order deeming a Tribal member competent or incompetent
4.	Custody or guardianship of minor	Certified copy of adoption decree Certified copy of divorce decree or parenting plan establishing custody Certified copy of court order designating custodian or guardian
5.	Parentage (not affecting eligibility for membership)	Certified copy of any subsequent Acknowledgment of Paternity or Voluntary Recognition of Parentage, any Spouse's Non-Parentage Statement, any court order adjudicating parentage, and/or any other official document(s) evidencing parentage
6.	Power of attorney	Power of attorney form that is duly authenticated (e.g., witnessed, notarized, and/or otherwise authenticated as required by applicable law in the jurisdiction where it was given)

Any other material change to a Tribal member's enrollment records, and any change based on documentation other than what is set forth in the above list, must be approved by the Enrollment Board and Tribal Council.

In the event of any such update, the Enrollment Clerk must, within five business days after making the update or receiving notice of Tribal Council's approval of the update, as applicable, notify the Tribal member and any other Tribal department(s) as appropriate so they can update their records.

XIII. Appeals

1. Who May Appeal. The following individuals may appeal the following decisions to Tribal Council:
 - (a) Any applicant whose application for enrollment was denied by Tribal Council;
 - (b) Any individual who was disenrolled by Tribal Council;
 - (c) Any Tribal member aggrieved by a blood quantum correction approved by Tribal Council; and
 - (d) Any Tribal member aggrieved by another material change to a Tribal member's enrollment records approved by Tribal Council.

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2. Filing an Appeal. Any appeal must be delivered to, and received by, both Tribal Council and the Enrollment Clerk, either via hand delivery, certified mail (prepaid, with return receipt requested), or a commercial delivery service, no later than 30 calendar days after the date of the relevant written notice of Tribal Council's decision. This deadline is mandatory and jurisdictional. Appeals received after the deadline will not be considered. The appeal must:
- (a) Be in writing;
 - (b) Identify the decision being appealed from;
 - (c) Describe in detail the grounds for the appeal;
 - (d) Include any information, documentation, and/or evidence the appellant would like Tribal Council to consider, provided that information, documentation, and/or evidence not provided as part of the record below will be considered only if it is newly obtained and the appellant could not reasonably have obtained it earlier; and
 - (e) State the remedy that the appellant is seeking.
3. Hearing Procedures
- (a) Initial Determination of Whether a Hearing is Necessary. Upon receipt of a timely appeal, Tribal Council will review the appeal and determine if it can decide the matter based on the written materials submitted, or if a hearing is necessary.
 - (b) Notice of Hearing. If Tribal Council determines that a hearing is necessary, Tribal Council will provide the Enrollment Clerk and all parties at least 10 business days' prior written notice of the date, time, and place of the hearing.
 - (c) Burden of Proof. The appellant will have the burden of proving that the relevant decision was incorrect by a preponderance of the evidence.
 - (d) Right to Participate; Right to Counsel. All parties will have the right to attend and participate in any hearing, and to be represented by the legal counsel of their choice at their own expense.
 - (e) Rules of Evidence. If a hearing is held, Tribal Council may allow any evidence it deems relevant to the appeal, provided that it will not allow evidence not made part of the record below unless such evidence is newly obtained and a party could not reasonably have obtained it previously. Tribal Council need not follow formal rules of evidence or procedure, but it must proceed to ascertain all facts in a reasonable and orderly fashion. Tribal Council must not allow irrelevant, duplicative, argumentative, unfair, or prejudicial evidence or testimony.
 - (f) Right to Present Evidence and Witnesses. Subject to the previous provision, if a hearing is held, all parties will have the right to present evidence, including witness testimony, and to cross-examine witnesses called by any other party.
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- (g) Oath. Any and all testimony must be given under oath.
- (h) Recording. A complete recording (in such form determined by Tribal Council) of any hearing must be made and a copy of all records, documents, and evidence must be maintained by Tribal Council or its designee.
- (i) Decision. Tribal Council must issue its decision in writing within 10 business days after any hearing or after its decision not to hold a hearing, as applicable, and must serve the decision on each party and the Enrollment Clerk personally or by sending it certified, postage pre-paid, via the United States mail. Tribal Council's decision is final and not subject to further review or appeal.

XIV. Miscellaneous

1. Exclusive Jurisdiction

Tribal Council has exclusive jurisdiction over matters relating to membership in the Quileute Tribe. Neither the Quileute General Council nor the Quileute Tribal Courts has jurisdiction over any challenge to the enrollment, disenrollment, or other enrollment-related decisions of Tribal Council.

2. Severability

If any provision of this Ordinance, or its application to any person under any circumstances, is held invalid by any court of competent jurisdiction, the remaining provisions of this Ordinance will remain in full force and effect.

3. Sovereign Immunity

Notwithstanding anything to the contrary, nothing in this Ordinance waives or may be interpreted to waive the sovereign immunity of the Tribe, any subordinate Tribal entity, or any of either's officers, employees, or agents acting within the scope of their authority.

4. Effective Date

This Ordinance will take effect immediately upon approval by Tribal Council and relaces and supersedes any and all prior ordinances and policies of the Tribe relating to the subject matter of this Ordinance, including, without limitation, the Dual Enrollment Ordinance approved August 12, 2004, via Resolution # 2004-A-78; and the Quileute Tribe Manual of Operations (a/k/a the Green Book) approved June 21, 1979, via Resolution # 79-A-41.

5. Conflict or Inconsistency

In the event of any conflict of inconsistency between the Constitution and this Ordinance, the provisions of the Constitution will control. In the event of any conflict or consistency between this Ordinance and any regulation, policy, manual (including, without limitation, the current Quileute Manual of Operations), rule, process, procedure, or form developed under this Ordinance, the provisions of this Ordinance will control.

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6. Reservation of Rights

Tribal Council reserves the right to amend, repeal, replace, and supersede this Ordinance at any time, including, without limitation, the right to modify or eliminate the roles, responsibilities, and structure of the Enrollment Board and Enrollment Office, which remain subject to the oversight and control of Tribal Council at all times.