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RINCON, SAN LUISENO BAND OF MISSION INDIANS
RINCON RESERVATION, CALIFORNIA

ORDINANCE NO. 3

To establish enrollment regulations and procedures supplementing those currently provided under authority of 25 CFR, Part 46, approved July 10, 1959.

Section 1 - Definitions

- (a) "Secretary" means the Secretary of the Interior.
- (b) "Commissioner" means the Commissioner of Indian Affairs.
- (c) "Director" means the Area Director, Sacramento Area Office.
- (d) "Field Representative" means the Area Field Representative, Riverside, California
- (e) "Band" means the Rincon, San Luiseno Band of Mission Indians.
- (f) "Enrollment Committee" means a committee of three (3) members of adult age and now on the census roll of the Rincon, San Luiseno Band, to assist in enrollment.
- (g) "Census Roll" means the 1940 census roll of the Rincon, San Luiseno Band of Mission Indians, revised as of July 21, 1957.
- (h) "Indian Blood" means the total percentage of Indian blood of the Band possessed by those persons who were allotted and by those persons whose names appear as members on the census roll of 1940, revised as of July 21, 1957 or that total percentage derived therefrom as possessed by descendants.

Section 2 - Enrollment Committee

The Enrollment Committee shall be elected and shall consist of three (3) members of adult age and now on the official roll of the Rincon, San Luiseno Band of Mission Indians. Two other members shall be elected to act as alternates.

The three persons receiving the highest number of votes shall constitute the Enrollment Committee of the Band and the persons receiving the fourth and fifth highest number of votes shall serve as alternate members of the Committee. The person receiving the highest number of votes shall be the Chairman and the person receiving the next highest number of votes shall be Secretary. This committee shall serve for a period of two years.

Section 3 - Persons to be Enrolled

Persons in the following categories shall be considered for enrollment, provided they file a written application at the time and place announced by the Enrollment Committee.

- (a) Living persons born after July 21, 1957, who are descendants of Indian members whose names appear on the Official Membership Roll, the Allotment Roll, or the 1940 Census Roll, revised as of July 21, 1957, provided such descendants are of 1/32 or more degree of Indian blood of the Band.
- (b) Persons who qualified for membership in the initial enrollment period but who failed to file applications within the allotted time of 90 days, if a waiver of Regulations, 25 CFR 46.4, is granted by the Secretary of the Interior, which will permit such persons to file applications.
- (c) If an Indian who applies for enrollment under the provisions of this section has received in his or her own right an allotment with some other band or tribe, and has not relinquished such allotment prior to the effective date of this ordinance, such person shall not be enrolled. Ownership of an allotment or an interest in an allotment acquired through inheritance shall not, however, be a bar to enrollment.

Section 4 - Applications

Application forms may be obtained from the Enrollment Committee or the Field Representative. The execution of each application shall be witnessed by two (2) disinterested persons who are not members of the household of the applicant. An application on behalf of a minor or mental incompetent shall be executed by a parent, natural guardian, or other person responsible for his care. If the Area Director or Field Representative has knowledge of a minor or mental incompetent for whom an application has not been filed, he shall file an application for that person and submit it to the Enrollment Committee. The burden of proof for the information contained in the application shall, to the best of his ability, rest upon the person who executed the application. It shall be the responsibility, however, of all parties concerned to offer any information, written or otherwise, of qualifying nature which they possess to the applicant and/or the Committee during the evaluating process.

Section 5 - Action by the Enrollment Committee

The Field Representative shall refer duly filed applications for enrollment to the Enrollment Committee. The Enrollment Committee shall review

applications and arrive at a preliminary decision as to the eligibility of the applicant, as based upon tribal records, information presented in the application or other reliable sources of information. The Enrollment Committee shall refer the application, with a statement of the facts supporting its preliminary decision, to the Field Representative with a request for the review of the Bureau of Indian Affairs records for any additional data which would either substantiate or refute the preliminary decision of the Committee. The Field Representative shall prepare a statement containing information found in the Bureau records relative to the eligibility of the applicant and shall forward such statement to the Enrollment Committee. After reviewing the statement, the Enrollment Committee shall, on the basis of the evidence thus accumulated, approve or disapprove the application.

Section 6 - Reevaluation of Application

If the Committee subsequently finds that a member provided erroneous information in his enrollment application which would have made him ineligible, his application shall be reevaluated in accordance with the procedures for processing an original application. Similarly, if it is subsequently found that an applicant has been disqualified for membership with the Band as the result of oversight, misinterpretation, etc., by evaluating officials of information submitted, such applicant shall be so informed and his application shall be reevaluated in accordance with the procedures for processing an original application.

Section 7 - Appeals

A person whose application has been rejected shall have 30 days from receipt of the notice of rejection to file with the Director an appeal from the rejection of his application, together with any supporting evidence not previously furnished. The Director shall forward to the Commissioner of Indian Affairs the appeal, supporting data, his recommendation thereon, and the report and recommendation of the Executive Committee on the application. When upon review the Commissioner is satisfied that the appellant meets the provisions of Section 3, he shall notify the appellant in writing and the Executive Committee shall enter the applicant's name on the membership roll. If the Commissioner determines that an appellant is not eligible for enrollment, he shall notify the appellant in writing of his decision and the reasons therefor. The appellant shall then have 30 days from the receipt of the notice of rejection to file an appeal with the Secretary of the Interior. The decision of the Secretary on an appeal shall be final and conclusive and the appellant and the Enrollment Committee shall be given written notice of the decision.

Section 3 - Preparation and Certification of Roll

After final action has been taken on all applications, the official roll shall be revised by adding the names of all qualified applicants, and making any necessary corrections. The Enrollment Committee shall affix a certification as to the roll's correctness. The Committee shall then submit the roll, bearing such certification, through the Field Representative, to the Director for his certification and approval.

Section 4 - Current Membership Roll

A. The Enrollment Committee shall be responsible for keeping the membership roll current, and each year will bring the roll current as of a specific date by:

(1) Striking therefrom the names of persons who relinquish in writing their membership in the band and the names of deceased persons upon receipt of a death certificate or other evidence of death.

(2) Adding to the membership roll the names of persons who qualify under the provisions of this ordinance.

(3) Adding to the roll the names of persons who are duly adopted as members of the band, as the result of qualification through standards or ordinance adopted for such action, and so approved by the Secretary or his authorized representative.

(4) Making corrections to the roll, as necessary, which will permit proper maintenance of an accurate and complete membership roll of the band.

B. Exceptions to A above shall provide that the roll shall be brought current prior to the distribution of assets of the band to permit enrollment of all qualified persons wishing to share in such assets.

C. All actions involving additions to or deletions from the membership roll shall be supported by resolution duly adopted for such action.

Section 10 - Use of Approved Membership Roll

Unless otherwise directed by the Congress of the United States, the current membership roll of the band, when certified by the Enrollment Committee and approved by the Secretary or his authorized representative, shall be used for all official purposes involving the affairs of the band.

Adopted by Rincon Business Committee October 11, 1970, by a vote of 4 "for" and 0 "against".

CERTIFICATION OF ADOPTION

The foregoing document was submitted for ratification to the members of the Rincon, San Luiseno Band of Mission Indians, Rincon Reservation, California, at a special election held on 12/19, 1970, and was duly adopted by a vote of 82 "for" and 15 "against", at which at least 30% of the eligible voters cast their ballots, and that this ordinance has not been amended or rescinded in any manner.

RINCON TRIBAL BUSINESS COMMITTEE

Ronald Calac 1-19-71
Chairman

Member 1-19-71

Max C. Maggitti 1-19-71
Member

Michael A. Calac 1-19-71
member

Therman E. McCannick 1/19/71
Member

Approved:

William E. Finab
Area Director

FEB 18 1971
Date

APPENDIX II

Chart for calculating Quantum of Indian Blood

N-I	1/16	1/8	3/16	1/4	5/16	3/8	7/16	1/2	9/16	5/8	11/16	3/4	13/16	7/8	15/16	4/4
1/16	1/32	1/16	3/32	1/8	5/32	3/16	7/32	1/4	9/32	5/16	11/32	3/8	13/32	7/16	15/32	1/2
1/8	1/16	3/32	1/8	5/32	3/16	7/32	1/4	9/32	5/16	11/32	3/8	13/32	7/16	15/32	1/2	17/32
3/16	1/8	5/32	3/16	7/32	1/4	9/32	5/16	11/32	3/8	13/32	7/16	15/32	1/2	17/32	9/16	19/32
1/4	5/32	3/16	7/32	1/4	9/32	5/16	11/32	3/8	13/32	7/16	15/32	1/2	17/32	9/16	19/32	5/8
5/16	3/16	7/32	1/4	9/32	5/16	11/32	3/8	13/32	7/16	15/32	1/2	17/32	9/16	19/32	5/8	21/32
3/8	7/32	1/4	9/32	5/16	11/32	3/8	13/32	7/16	15/32	1/2	17/32	9/16	19/32	5/8	21/32	11/16
7/16	1/4	9/32	5/16	11/32	3/8	13/32	7/16	15/32	1/2	17/32	9/16	19/32	5/8	21/32	11/16	23/32
1/2	9/32	5/16	11/32	3/8	13/32	7/16	15/32	1/2	17/32	9/16	19/32	5/8	21/32	11/16	23/32	3/4
9/16	5/16	11/32	3/8	13/32	7/16	15/32	1/2	17/32	9/16	19/32	5/8	21/32	11/16	23/32	3/4	25/32
5/8	11/32	13/32	3/8	13/32	7/16	15/32	1/2	17/32	9/16	19/32	5/8	21/32	11/16	23/32	3/4	25/32
11/16	13/32	3/8	13/32	7/16	15/32	1/2	17/32	9/16	19/32	5/8	21/32	11/16	23/32	3/4	25/32	13/16
3/4	13/32	7/16	15/32	1/2	17/32	9/16	19/32	5/8	21/32	11/16	23/32	3/4	25/32	13/16	27/32	7/8
13/16	13/32	7/16	15/32	1/2	17/32	9/16	19/32	5/8	21/32	11/16	23/32	3/4	25/32	13/16	27/32	7/8
7/8	15/32	1/2	17/32	9/16	19/32	5/8	21/32	11/16	23/32	3/4	25/32	13/16	27/32	7/8	29/32	15/16
15/16	1/2	17/32	9/16	19/32	5/8	21/32	11/16	23/32	3/4	25/32	13/16	27/32	7/8	29/32	15/16	31/32
4/4	1/2	17/32	9/16	19/32	5/8	21/32	11/16	23/32	3/4	25/32	13/16	27/32	7/8	29/32	15/16	31/32
1/32	1/64	3/64	5/64	7/64	9/64	11/64	13/64	15/64	17/64	19/64	21/64	23/64	25/64	27/64	29/64	31/64
3/32	5/64	7/64	9/64	11/64	13/64	15/64	17/64	19/64	21/64	23/64	25/64	27/64	29/64	31/64	33/64	35/64
5/32	7/64	9/64	11/64	13/64	15/64	17/64	19/64	21/64	23/64	25/64	27/64	29/64	31/64	33/64	35/64	37/64
7/32	9/64	11/64	13/64	15/64	17/64	19/64	21/64	23/64	25/64	27/64	29/64	31/64	33/64	35/64	37/64	39/64
9/32	11/64	13/64	15/64	17/64	19/64	21/64	23/64	25/64	27/64	29/64	31/64	33/64	35/64	37/64	39/64	41/64
11/32	13/64	15/64	17/64	19/64	21/64	23/64	25/64	27/64	29/64	31/64	33/64	35/64	37/64	39/64	41/64	43/64
13/32	15/64	17/64	19/64	21/64	23/64	25/64	27/64	29/64	31/64	33/64	35/64	37/64	39/64	41/64	43/64	45/64
15/32	17/64	19/64	21/64	23/64	25/64	27/64	29/64	31/64	33/64	35/64	37/64	39/64	41/64	43/64	45/64	47/64
17/32	19/64	21/64	23/64	25/64	27/64	29/64	31/64	33/64	35/64	37/64	39/64	41/64	43/64	45/64	47/64	49/64
19/32	21/64	23/64	25/64	27/64	29/64	31/64	33/64	35/64	37/64	39/64	41/64	43/64	45/64	47/64	49/64	51/64
21/32	23/64	25/64	27/64	29/64	31/64	33/64	35/64	37/64	39/64	41/64	43/64	45/64	47/64	49/64	51/64	53/64
23/32	25/64	27/64	29/64	31/64	33/64	35/64	37/64	39/64	41/64	43/64	45/64	47/64	49/64	51/64	53/64	55/64
25/32	27/64	29/64	31/64	33/64	35/64	37/64	39/64	41/64	43/64	45/64	47/64	49/64	51/64	53/64	55/64	57/64
27/32	29/64	31/64	33/64	35/64	37/64	39/64	41/64	43/64	45/64	47/64	49/64	51/64	53/64	55/64	57/64	59/64
29/32	31/64	33/64	35/64	37/64	39/64	41/64	43/64	45/64	47/64	49/64	51/64	53/64	55/64	57/64	59/64	61/64
31/32	33/64	35/64	37/64	39/64	41/64	43/64	45/64	47/64	49/64	51/64	53/64	55/64	57/64	59/64	61/64	63/64

Note: All denominators for lower part of scale are 64. "N-I" stands for non-Indian. To determine degree of blood of children, find degree of one parent in left hand column and of the other parent in top row. Read horizontally to right and vertically below to find the proper degree. Example: Child of parents, one 11/16 and the other 5/8 would be 21/32 degree.

Blood degrees inside the heavier black lines are less than 1/4 ($\frac{1}{8}$)