



ORDINANCE 96-2

AN ORDINANCE OF THE NATIVE VILLAGE OF BETHEL, ALASKA ESTABLISHING MEMBERSHIP CRITERIA AND ENROLLMENT PROCEDURES

Be it ordained and enacted by the Orutsararmiut Traditional Native Council of the Native Village of Bethel, Alaska:

Section 1. Findings & Purpose

(a) The Orutsararmiut Traditional Native Council of the Native Village of Bethel, Alaska acknowledges that:

1. It is the governing body of the Native Village of Bethel, Alaska; and
2. It has authority to make rules governing membership in the Native Village of Bethel, Alaska; and
3. Establishing membership criteria and an official tribal roll are essential to the fair and efficient administration of tribal government.

(b) This ordinance is intended to establish membership criteria and procedures for establishing an official roll to be kept by the Orutsararmiut Traditional Native Council, and to establish procedures to keep the roll current through the addition of new members and removal of former members.

Section 2. Definition

(a) "**Alaska Native**" and "**Native**" shall mean a person who has a blood quantum of at least $\frac{1}{4}$ one fourth Alaska Eskimo, Aleut, and/or Indian blood.

(b) "**Base Member**" shall mean an individual whose name shall appear on the base roll of the Bethel Native Corporation (BNC). Members must have at least $\frac{1}{4}$ degree Alaska Native blood.

(c) "**Descendants**" shall mean those children born to members of the BNC members and also children of Orutsararmiut Traditional Native Council (ONC) members.

(d) "**Inactive Member**" shall mean an individual who has established a permanent residence outside the Village of Bethel or the State of Alaska, nor has enrolled to any other Native Village or tribe.

Section 3. Establishing a Tribal Roll

(a) The Orutsararmuit Traditional Native Council shall appoint a Tribal Enrollment Director to administer this Ordinance.

(b) An initial tribal roll shall be established by the Tribal Enrollment Director within (60) days of the adoption of this Ordinance. This initial roll shall include all persons who meet the membership requirements of Section 4 below.

(c) This roll shall be posted in a public place in the Village of Bethel. Persons believing themselves to be members of the Native Village of Bethel and who are not listed on the initial roll of members shall notify the Tribal Enrollment Officer, and shall complete and application for enrollment. The Tribal Enrollment Officer shall make a recommendation to the Orutsararmuit Traditional Native Council Enrollment Committee to present to Council to approve or deny the application. On a minimum quarterly basis unless otherwise deemed urgent in some cases such as (medical or ICWA purposes)

Section 4. Membership Standards

a. Qualifications for membership; Any person who meets the following qualifications and is not enrolled to any other Native Village or Tribe in Alaska is eligible for membership in the Native Village of Bethel, Alaska.

1. Those that are on the base roll of the Bethel Native Corporation having $\frac{1}{4}$ Alaska Native blood.

2. Descendents of the BNC base roll.

(a). ICWA Exception: The residency requirement may be waived for Native children under 18 years of age solely for determining eligibility for tribal membership under the Indian Child Welfare Act, provided that the child is found by the Traditional Council to be descendent of an original member of the Native Village of Bethel, Alaska.

(b) Special Members standards

1. Dual Enrollment is permitted for children under the age of eighteen (18). Children who are direct descendants of base members shall be tribal member even if they are not formally enrolled, when they reach the age of eighteen (18) they shall be given the option to decide to remain or be removed from the enrollment list. To remain on the enrollment list a formal application must be processed according to section (6) of this ordinance.

2. Children adopted by tribal members, which includes both biological and non-biological native children under the state of tribal law, shall have the same status as biological children of tribal members.

3. The Orutsararmuit Native Council shall have the option to adopt Alaska Natives who set up permanent residence in Bethel but are not descendants of base members. Full membership status shall be extended to adopted members after residing in Bethel for one (1) year. Dual membership is not allowed for adopted members.

4. Person not eligible for membership may be designated honorary members by the approval of the Council. Honorary members may not hold elected office; do not have the right to vote, and do not become eligible for tribal benefits by reason of the honorary membership.

Section 5. Rights of Inactive Members

(a) Members who establish a permanent residence outside the Village of Bethel shall be listed on the tribal roll as "inactive members". Inactive members shall not be eligible to hold tribal office but will be permitted to vote on local matters that come up for a vote by the members, and shall otherwise maintain their status as tribal members. All matters are by definition "local" unless determined to be otherwise from the Council.

(b) Inactive members shall be automatically given full membership status after residing in Bethel for one (1) year by approval of the Traditional Native Council.

Section 6. Procedure for new members

(a) Applicants for membership shall complete an application for enrollment on a form prepared by the Orutsararmuit Traditional Native Council and shall file the application with the Tribal Enrollment Officer, with the following documents

1. Birth Certificate (proof of a being lineal descendant)
2. Certificate of Indian Blood (issued by the Bureau of Indian Affairs)
3. Release of Information
4. And IF applicable
 - *Order of Adoption or Adoption Decree
 - *Marriage Certificate
 - *Order of Dissolution or Divorce Decree
 - *proof of enrollment in another tribe
 - *Proof of relinquishment from other tribe (if 18 years or older)

(b) The Tribal Enrollment officer shall determine whether the applicant is eligible for enrollment based on the criteria of Section 4. Those applicants that are questionable will be brought to the Orutsararmuit Traditional Native Council to either approve or deny.

(c) The Orutsararmuit Traditional Native Council shall act on the application within thirty (30) days and complete the processing within ninety (90) days of filing. The decision of the Orutsararmuit Traditional Native Council is final.

When membership is considered urgent, the enrollment officer may hold a poll vote to approve or deny the prospective member.

Section 8. Issuing Tribal ID Cards

(a) Before IDs are issued, the Enrollment Officer must ensure that all documentation needed to complete the enrollment application are filed in the member's enrollment record.

(b) A charge of \$10.00 after the first ID is issued and expired shall be paid at the time a new ID is issued, and \$15.00 for any replacement cards or duplications. Members sixty years of age or older will not be charged.

(c) Expiration of Tribal ID Cards:

Each Tribal ID card shall have an expiration date.

The expiration date will be 5 years after issuance, and shall expire on the same month and day of the Tribal Members birthday.

Each members first issued ID will be free of charge, thereafter the fees listed in section 8 (b) shall apply.

Section 9. Procedure for Disenrollment

(a) Removal for just cause; A member may be removed from the enrollment list if the Governing Board of the Orutsararmiut Native Council determines that the member was enrolled on the basis of false or erroneous information, or if the member did not comply with provisions of this ordinance.

(b) Any person subject to disenrollment must be given written notice of the reasons for disenrollment by certified mail. Within (10) ten days of receipt of the notice, the person subject to disenrollment may request a hearing before the Orutsararmiut Traditional Native Council. If the member requests a hearing, one shall be held within thirty (30) days of the request. The decision of the Orutsararmiut Traditional Native Council Governing Board, after a hearing, shall be final.

(c) Sec.4.(b)1. Children with dual enrollment shall be given the option to decide to remain or be removed from the enrollment list when they reach the age of eighteen (18) years. If they wish to be removed, they will need to fill out a relinquishment form which then will go through council for approval.

Section 10. Procedure for Relinquishment

(a) Any member can relinquish his/her membership by submitting a written notarized request to the Enrollment Officer. The member will be notified in writing by certified mail that his/her request was received and their name will be removed from the membership roll once approved by resolution of the ONC Governing Council.

(b) Once relinquished from ONC, the individual will not be permitted to reapply for a period of one year or by request by ONC Council.

Section 11. Civil Rights

All actions taken by the Orutsararmiut Traditional Native Council, its agents, or employees shall conform to the requirements of the Indian Civil Rights Act, 25 U.S.C. 1302 and any other applicable Federal law.

Section 12. Severability

If any section or portion of this ordinance is declared invalid by a Court of competent jurisdiction, all sections not so declared shall remain in full force and effect.

Section 13. Amendments

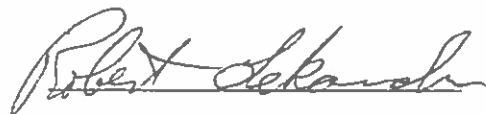
(a) Amendments to the Ordinance will require an open hearing at a regular scheduled meeting of the Orutsararmuit Traditional Native Council Governing Board. After the hearing, the Orutsararmuit Traditional Native Council, will either approve or disapprove the amendment(s) dependent on comments from the public.

CERTIFICATION

I HEREBY CERTIFY THAT THE FOREGOING ORDINANCE WAS ADOPTED AT A DULY CONVENED MEETING OF THE ORUTSARARMUIT TRADITIONAL NATIVE COUNCIL AT WHICH A QUORUM WAS PRESENT BY A VOTE OF 7 IN FAVOR, 0 AGAINST THIS 6th DAY OF April, 2016.



Walter Jim, President



Robert Lekander, Secretary