



*Tribal Secretary  
Monthly Report*

*October 2013*

*Submitted by: Ida M. Riggins*



**Pit River Tribal Secretary  
Monthly Report September 2013  
Task/Projects**

Action Items:

1. 2013-2014 Enrollment Committee has some questions for the Tribal Council
2. Request to set up enrollment training with Enrollment Committee, Tribal Council, and Pit River Tribal members.
3. Finalize Land Ordinances with corrections.
4. Approve the new application for Land assignment process.(will hand out draft at the meeting)
5. Approve Enrollment applications.
6. Review of the Annual Budget & submitting 2014 budget for discussion and review.

**Tribal Secretary Contact Information:**

Phone Calls into the office:	87
Walk in Members:	19
Dept. of Justice Clients:	0
Other Agencies Assistance:	5
PR Tribal Social Services:	7

**Progeny Accessed:**

PR Tribal Social Services Accessed:	31 Files
Tribal Secretary Accessed:	153 Files

**Pit River Tribal Land Department Met with Tribal Council on: October 17, 2013 review all ordinances for the Pit River Tribal Land Assignments.**

**California Indian Game Transportation Tag Issuance for October :**

Issued 23 Tags for September



**Pit River Tribal Secretary  
Monthly Report September 2013  
Task/Projects**

**Statutes of the Pit River Tribe of California**

Updated: 2005

**Enrollment Ordinance of the Pit River Tribe**

**ORDINANCE NO. 88-1**

Enacted 9-22-88, Affirmed by Resolution No. 88-10-01 dated 10-27-88

**Table of Contents**

**Statement of Source of Authority**

**Statement of Purpose**

**Short Title**

**Article I - Definition of Terms**

**Article II - Establishment of Organizational Responsibility and Authority**

**Article III - Eligibility for Enrollment**

**Article IV - Application for Enrollment**

**Article V - Processing of Enrollment Applications**

**Article VI - Appeals Procedures**

**Article VII - Maintenance of Tribal Membership Roll**

**Article VIII - Loss of Membership**

**Article IX - Band Enrollment**

**Article X - Adoption Forms**

**Article XI - Miscellaneous**

**Article XII - Effective Date of Ordinance**

**Statement of Source of Authority**

This ordinance is promulgated pursuant to authority contained in the Constitution of the Pit River Tribe adopted August 15, 1987, and approved by the Assistant Secretary of the Interior for Indian Affairs on December 10, 1987; Article IX - Elections; Article VIII, Section 1(s) - Tribal Council Powers.

**Statement of Purpose**

This ordinance is intended to define and regulate membership in the Pit River Tribe in accordance with the Constitution of the Pit River Tribe, and



**Pit River Tribal Secretary**  
**Monthly Report September 2013**  
**Task/Projects**

to establish fair and uniform enrollment procedures which afford due process of tribal law to all persons.

**Short Title**

This ordinance may be cited as the "Pit River Enrollment".

**Article I. Definition of Terms**

Section 101. For the purpose of this ordinance, the terms below shall have the following meaning.

- (a) Applicant means the person seeking to be enrolled.
- (b) Appellant means a person who is appealing a decision by a tribal body to reject an application for enrollment.
- (c) Band means one of the following eleven autonomous bands of Indians organized as the Pit River Tribe (Ajumawi Atsugewi Nation): Ajumawi, Atsugewi, Atwamsim, Ilmawi, Astarawi, Hammawi, Hewisedawi, Itsatawi, Aporige, Kosalektawi, and Madesi, that from time immemorial have reside in the area known as the 100-mile square, located in parts of Shasta, Siskiyou, Modoc, and Lassen Counties in the State of California, as referred to in Pit River Docket No. 347, (7 ICC 815 at 844), Indian Claims Commission.
- (c) Base Roll is a list of persons eligible for membership as specified in an Indian tribal constitution or other organic tribal document specifying membership criteria.
- (e) Base Roll Member (of the Pit River Tribe) means a person who meets the provisions of Article III, Section 2 (a), (b), (c) of the Tribal Constitution and has applied for tribal membership via the enrollment process set forth in this ordinance.
- (f) Disenrollment means an affirmative action by the Pit River Tribe to deprive a member of the right to tribal membership.
- (g) Enrolled Member means a person who meets the membership criteria of Article III, Section 1 or 2, of the Constitution of the Pit River Tribe, and who has satisfied the procedural requirements for enrollment contained in this ordinance.
- (h) Indian Tribe means any Indian tribe, Band, Nation, Rancheria, Pueblo, Colony, or Community, including any Alaskan Native Village, or regional or village Corporation which is federally recognized by the United States Government as eligible for the special programs and service provided to Indians because of their status as Indians.
- (i) Pit River Indian Blood means the Pit River Indian quantum of a person who can trace their biological descent from one or more members of the Pit River Tribe or such other Indian person recognized as affiliated with the eleven autonomous bands which now comprise the Pit River Tribe.



**Pit River Tribal Secretary**  
**Monthly Report September 2013**  
**Task/Projects**

(j) Relinquishment means the voluntary withdrawal by the tribal member from membership in the Pit River Tribe.

(k) Sponsor means the applicant's parents, legal guardian, spouse, next of kin, or other person authorized to file enrollment documents on behalf of the applicant.

**Article II. Establishment of Organizational Responsibility and Authority**

Section 201. Tribal Enrollment Office. There is hereby established by the Pit River "Tribal Enrollment Office", which shall be headed by an Enrollment Officer who shall be the Secretary of the Pit River Tribe. The Enrollment Officer may be assisted by such staff member as the Tribal Council may authorize. The Enrollment Officer and staff members shall be subject to the Policies and Procedures of the Pit River Tribe and shall be paid such salaries, if any, as the Tribal Council shall in its budget provide. The Tribal Enrollment office shall perform such duties as the Tribal Enrollment Committee may delegate.

Section 202. Enrollment Committee. The Tribal Council shall appoint an Enrollment Committee, consisting of a total of 6 members. The Chairperson and Secretary of the Tribe shall be automatic members of the Enrollment Committee for their respective terms of office. Other members shall be appointed in the month following the annual general tribal meeting and shall serve one year terms. The Enrollment Committee shall select from among its members a committee chairperson and secretary. The Enrollment Committee is charged with the responsibility of implementing the enrollment provisions of the Tribal Constitution and the rules, regulations and procedures specified in this ordinance. The Enrollment Committee shall have all necessary authority needed to carry out these responsibilities and shall be responsible to the Tribal Council for its actions. Members of the Enrollment Committee shall be subject to such Policies and Procedures of the Pit River Tribe as may be applicable to Committee members and shall be compensated only as and if provided for by the Tribal Council in its budget. The Enrollment Committee is charged with the responsibility of monitoring and reviewing the actions and activities of the Tribal Enrollment Office.

**Article III. Eligibility of Enrollment**

Section 301. Prohibition on Dual Enrollment. No person whose name appears on the roll of any other Indian tribe will be eligible for membership with the Pit River Tribe. Membership in the Pit River Tribe shall be automatically revoked upon proof of a person's enrollment as a member of any other federally recognized Indian tribe. Any person whose membership is revoked for this reason may be reinstated as a member of the Pit River Tribe upon submission of proof of the Enrollment Committee of withdrawal of enrollment in all other federally recognized Indian Tribes or, in the alternative, proof that all necessary and reasonable steps have been taken to effectuate a withdrawal of enrollment in all other federally recognized Indian Tribes.

Section 302. Eligibility of a Base Enrollee. To be eligible for enrollment in the Pit River Tribe as a base enrollee, a person must prove that they are not enrolled in any other tribe and are of 1/4 degree Pit River Blood. The burden of providing eligibility for enrollment with the Pit River Tribe shall be upon the applicant. Acceptable evidence shall include any of the following:

1. The applicant was accepted into Tribal membership under the Constitution adopted August 16, 1964.
2. The applicant was listed by the Bureau of Indian Affairs as eligible to register to vote in the election of the Constitution Drafting Committee held on December 10, 1983; or
3. The applicant was listed as a Pit River Indian on the 1928 Census roll and is at least 1/4 Indian blood or



**Pit River Tribal Secretary**  
**Monthly Report September 2013**  
**Task/Projects**

descendant thereof.

Section 303. Eligibility for Other Than Base Enrollment.

(a) To be eligible for enrollment, under Article III, Section 1(a), of the Pit River Constitution, an individual must prove by substantial evidence that they are not enrolled in any other federally recognized Indian tribe and are at least one-quarter degree Pit River Indian blood. Acceptable evidence shall be taken to mean proof of biological descent from persons whose names appear on the 1928 Census Roll as Pit River Indian or who are otherwise recognized as of Pit River Indian blood. A certification of Indian quantum issued by the BIA, or similar documentation, shall be acceptable evidence. Degree or quantum of Indian blood of each parent as calculated from information obtained from the 1928 Census roll or similar documentation. If proof of paternity does not exist, degree of Indian blood will be determined by taking one-half the degree of Indian blood of the mother.

(b) To be eligible for enrollment under Article III Section 1(b) of the Pit River Constitution, the applicant must be born to parents, one or both of whom are enrolled members of the Pit River Tribe, and must not be enrolled in any other federally recognized Indian tribe. Acceptable evidence of such birth shall include a certified copy of a birth certificate; an order of a court of competent jurisdiction; or, a sworn statement of paternity executed before a judge.

**Article IV. Application for Enrollment**

Section 401. Application form. For all applicants wishing to enroll as members of the Pit River Tribe, a separate written application on a form established by the Enrollment Committee and approved by the Tribal Council shall be filed by or on behalf of each person applying for enrollment in the Pit River Tribe.

Section 402. Reactivation of Existing Applications for Enrollment. Applications for enrollment filed with the Tribal Council prior to adoption of this ordinance which comply with the provisions of this part may be reactivated by written request of the applicant.

Section 403. Completion of Application. The application form must contain such information as required to permit the Enrollment Committee to determine the eligibility of the applicant. The applicant must include statements: 1) that the applicant desires to become a member of the Pit River Tribe; 2) that the applicant is not and has not been a member of any other Indian Tribe; and 3) listing the family tree and segregated blood degree of the biological ancestors of the applicant, or proof that the applicant is entitled to enrollment as a base enrollee under Section 302, above.

Section 404. Sponsoring an Applicant. If the person to be enrolled or adopted is a minor or incompetent person, or a member of the family of a person in the armed services, or employed by the Federal government, stationed outside the continental United States, an application for enrollment may be completed and filed by the applicant's parents, legal guardian, next of kin, or by the applicant's spouse as the sponsor of such person.

Section 405. Accuracy of Application Information. The applicant or sponsor of the applicant shall certify as to the truth and accuracy of the information provided in the application. Falsification of application information shall be grounds for disenrollment action.

Section 406. Challenges to Application. No minor applicant shall be enrolled over the objections of the tribal member parent of the applicant expressed in writing prior to enrollment unless the applicant is eligible for enrollment through the other parent who



**Pit River Tribal Secretary**  
**Monthly Report September 2013**  
**Task/Projects**

consents to enrollment.

**Article V. Processing of Enrollment Applications**

Section 501. Control Procedures. Applications for enrollment shall be signed and dated by the applicant or sponsor and shall be stamped with the date on which they are received at the Enrollment Office. The Enrollment Office shall maintain a log in which it shall enter the name of the applicant, the date and time at which the application was received, and a description of the supporting documents submitted with the application.

Section 502. Enrollment Committee Review. The Enrollment Committee shall meet regularly, but under no circumstances less than once a month, to review and act on applications. The Enrollment Committee shall consider the information provided in such applications and all other available evidence concerning the applicant's eligibility for membership.

The Enrollment Committee shall review and take action on all applications within thirty days from date of receipt.

If the application is deemed by the Enrollment Committee to be incomplete, then the Committee may request needed information from the applicant or sponsor and may request such person to appear before the Committee for personal interview.

Complete applications shall be acted on as follows:

(a) If it is clear from the information on the application and from official records maintained by the Tribe and available to the Enrollment Committee, that the applicant qualifies for enrollment, the Enrollment Committee shall approve the application by resolution and direct the enrollment officers to enroll the applicant.

The enrollment officer shall act on the Committee's recommendation, and shall notify the applicant in writing of the action.

(b) If it is clear from the information on the application and from official records maintained by the Tribe and available to the Enrollment Committee that the applicant is not eligible for enrollment, the Enrollment Committee shall disapprove the application and shall provide written notice of the Committee's action, the reasons thereof and the rights of the applicant to appeal such action. The Enrollment Committee shall inform the Pit River Tribal Council of its actions at the next regularly scheduled meeting of the Tribal Council.

Written notice shall be given in accordance with the procedures identified in Article v, Section 504.

(c) If it cannot be determined from the application and from records maintained by the Tribe whether or not the application is eligible for enrollment, the Enrollment Committee shall so notify the applicant and invite the submission of additional evidence to prove the applicant's eligibility. The applicant will be provided with an opportunity for a hearing in accordance with procedures specified in Article V, Section 504.

Section 503. Notice of Determination.

(a) Notice Required. Every person filing an application for enrollment shall be given written notice of whether the Enrollment Committee has accepted or rejected his/her application for enrollment.



**Pit River Tribal Secretary**  
**Monthly Report September 2013**  
**Task/Projects**

(b) Content of Notice of Approval. If the Enrollment Committee approved the application for enrollment, the written notice shall indicate that the application was approved. The notice will give the tribal resolution number and the date of its adoption. The content and format of the Notice of Approval shall be established by the Enrollment Committee.

(c) Content of Notice of Rejection. If the Enrollment Committee rejected the application for enrollment, the written notice shall: 1) Indicate that the application was rejected; 2) set for the membership requirement which the Committee found that the applicant failed to meet; 3) provide information about the rights of the applicant to appeal to the Tribal Council. The notice shall indicate the time within which such an appeal must be filed and the procedure for filing such an appeal.

(d) Notice Requesting Additional Information. If insufficient evidence is available to permit the Enrollment Committee to make a determination, a written notice shall: a) indicate the information needed by the Committee, b) the membership requirement which the information is needed to meet; and, c) the time frame within which the applicant must respond.

(e) Manner of Giving Notice. The notices required to be given under this section shall be given within ten days after a determination is made. The Enrollment Committee is charged with the responsibility of giving notice. The notice shall be sent by certified mail, restricted addresses, return receipt requested, to the address provided by the applicant.

Section 504. Hearings Before Enrollment Committee. If the application is incomplete or if insufficient information has been provided, the applicant may be given an opportunity to provide additional information to the Committee at a hearing.

The applicant shall be given written notice that a hearing will be held before the Enrollment Committee in accordance with Article V, Section 503.

Written notice shall inform the applicant that further information is needed, the enrollment requirement for which such information is needed, and the date of the hearing. Applicant shall be given the right to have representation at such hearing.

Written notice of the hearing shall be given at least twenty days prior to the date fixed for the hearing. Written notice shall be sent by certified mail, restricted addressee, return receipt requested, to the address provided by the applicant.

Notice of the hearing shall be presumed to have been received if the notice was deposited in the United States mail, certified as indicated above, at least thirty days prior to the date fixed for the hearing. The hearing shall be tape recorded.

**Article VI. Appeals Procedures**

Section 601. Right of Appeal. An applicant whose application for enrollment has been rejected by the Enrollment Committee may appeal to the Pit River Tribal Council.

Section 602. Commencing an Appeal. An applicant desiring to appeal must file a written notice of intent to appeal such rejection within thirty days of receipt of such rejection. The written notice of intent shall be served on the Pit River Tribal Council with a copy given to the Enrollment Committee. The Tribal Council may grant an extension of the time for filing if the applicant demonstrates good cause for such extension within the thirty-day period.





**Pit River Tribal Secretary**  
**Monthly Report September 2013**  
**Task/Projects**

The statement from the applicant/appellant shall state why the appellant believes the Enrollment Committee's rejection is erroneous and must be limited to evidence submitted to the Committee in support of the application for enrollment. Representations must be made under oath and signed under penalty of perjury. Submission of false information is subject to automatic rejection of the application for enrollment. The burden of proof for establishing eligibility is upon the appellant.

Section 603. Appellate Review. Once the appeal begins, the Enrollment Committee shall transmit the complete record together with all evidence collected concerning the eligibility for membership of the appellant to the Tribal Council.

The Tribal Council shall consider the record as presented together with such information as it may consider pertinent. The Tribal Council shall, within sixty days of receiving the appeal, unless there is good cause for postponing, hear the appeal in executive session at a time and place set by the Council.

Section 604. Notice of Hearing on Appeal. The Tribal Council shall direct the Enrollment Committee to transmit to the appellant a written notice that a hearing on the appeal will be held before the Tribal Council at a time and place set by the Council.

The written notice to the appellant shall: 1) fix a time and place when the Tribal Council shall hold the appeal hearing; 2) argument in support of his/her position; 3) inform the appellant of his/her right to include a copy of or make reference to any official Bureau of Indian Affairs or tribal records having a direct bearing on appellant's eligibility;

The members of the Enrollment Committee may attend the executive session to answer questions put by the Council. The Tribal Council may direct the Enrollment Committee to appear.

**Article VII. Maintenance of Tribal Membership Roll**

Section 701. Tribal Membership Roll. The tribal membership roll shall contain the names of all enrolled members of the Pit River Tribe, arranged in alphabetical order.

For each member, the roll shall also contain the persons enrollment number, sex, date of birth, blood degree, (both Indian and Tribal), parents' blood degree, member's address, date of enrollment, band affiliation and any remarks. The remarks column shall also indicate the name and roll number of the member's parents and whether the member was enrolled as a base enrollee. Any notations made upon the roll shall indicate by whom such notations were made, the date of such notations, and the authority for making such notations.

Section 702. Responsibility for Maintenance. The Enrollment Office shall keep current the tribal membership roll. The Committee shall annually review the roll for such purpose. The names of all persons who are deceased and all persons who have relinquished their membership or who have been disenrolled shall be noted in the roll, the names of all persons whose applications have been approved shall be promptly added to the roll, and any changes in band enrollment shall be noted. The roll shall close 15 days before the annual election in August of each year and shall remain closed for a period of thirty days. Applications for enrollment may be accepted during this period but shall not be formally acted upon until the roll has reopened.

**Article VIII. Loss of Membership**

Section 801. Grounds for Disenrollment. The Enrollment Committee may take action to disenroll a tribal member for one of the following reasons.



**Pit River Tribal Secretary**  
**Monthly Report September 2013**  
**Task/Projects**

- (a) The person obtained membership rights by fraud, deceit, or misrepresentation.
  
- (b) The person is or becomes a member of another Indian tribe; provided that, no minor shall be disenrolled under this section unless one year has elapsed since reaching his/her majority and the minor has not relinquished membership in any other tribe in which he/she has been enrolled.
  
- (c) The person is a descendant of a person disenrolled pursuant to subsection (a) and does not otherwise meet the membership criteria of the Pit River Tribe.
  
- (d) The person has provided written notice of relinquishment of tribal membership.

Section 802. Process of Disenrollment. The burden of proof for disenrollment of a tribal member is upon the Enrollment Committee. The Enrollment Committee shall provide written notice to the person in accordance with the provisions of this ordinance.

Section 803. Relinquishment. Each member may voluntarily relinquish their membership in the Pit River Tribe by filing a written notice with the Enrollment Committee. A member relinquishing membership shall not be eligible to re-enroll for a period of five years from the date notice of disenrollment is issued pursuant to Section 802 above. Such relinquishment may be contingent upon other actions.

Application for relinquishment of membership shall not be made by any person other than the member unless accompanied by proof that the person submitting the application for relinquishment is a tribal member and the legal guardian or conservator of the person whose membership will be relinquished.

The relinquishment of membership will be effective as of the date received by the Enrollment Committee or upon such contingent actions as specified in a conditional relinquishment. Provided that, minors whose membership is relinquished by a tribal member, parent/legal guardian/ conservator may regain their membership after attaining majority by notifying the Enrollment Committee of their desire to continue as a member of the Pit River Tribe.

**Article IX. Band Enrollment.**

Section 901. Band Membership Eligibility. To be eligible to enroll as a member of one of the eleven autonomous Pit River bands, the applicant must be an enrolled tribal member and descended from persons recognized by the said band entitled to membership in the band. An applicant may not be enrolled in more than one band at any time. If an applicant is eligible for enrollment in multiple bands, all of which will accept the applicant into membership, the applicant shall designate which band they choose to enroll in. The said band shall be so indicated in the tribal roll next to the applicant's name. The data the applicant made his/her election to enroll with that particular band shall also be entered.

Section 902. Band Membership Required for Certain Purposes. No tribal member shall be eligible to serve as a band representative on the Pit River Tribal Council unless said member is enrolled as a member of the band he/she wishes to represent. No tribal member may vote on band participation in tribal government pursuant to Article VII, Section 2 (e), of the Pit River Constitution, unless said member is enrolled and registered to vote as a member of the said band.

Section 903. Band Roll. Each band is to approve its own membership, subject to the eligibility requirements as set forth in Article III of the Constitution, and subject further to the provisions of Article VII, Section 2, requiring each band to maintain a



**Pit River Tribal Secretary**  
**Monthly Report September 2013**  
**Task/Projects**

current band roll, and prohibiting dual enrollment in ancestral bands.

Section 904. Compilation of Band Rolls. Band rolls shall be developed and maintained as follows:

(a) The tribal Enrollment Committee shall compile, by band, a list of all members and applicants for membership who have self-designated the respective ancestral band as the band in which they wish to be enrolled. The list shall be provided to the band's tribal council representative for review in accordance with the customs, traditions and practices of the band. If no objection to the names listed is received from the council representative within 30 days, the list shall be deemed accepted and the designated members entered as enrolled members of the respective band. Additions and deletions to the band roll shall be made in a like manner. Applications for enrollment in a band or disenrollment with a band shall be made to the tribal enrollment committee who shall forward the names of applicants to the band's tribal council representative for review within 15 days of receipt of the said application. If no objection to the requests for enrollment or disenrollment is received within 30 days, the application shall be deemed accepted by the band and the applicant added or deleted from the band, as appropriate.

(b) If the band's tribal council representative rejects the applicant's request for band enrollment or if a tribal member is enrolled in more than one band, the dispute shall be resolved by the band (s) according to the customs, traditions and practices of the band, in consultation with the Enrollment Committee. Band determinations shall be final.

**Article X. Adoption Forms**

The Enrollment Committee shall develop and establish those forms needed to meet the requirement of the Enrollment Office.

**Article XI. Miscellaneous**

Section 1101. Repeal of Conflicting Laws. Any ordinance or resolution of the Pit River Tribe in conflict with the provisions of this ordinance shall be repealed, but only to the extent of such conflict.

Section 1102. Honorary Membership. Notwithstanding any requirement in this title, the Tribal Council may accept any person as an honorary member of the Pit River Tribe, provided that, honorary membership is nominal only. No honorary member shall have any right to vote, share in tribal assets, or participate in the government or other rights and institutions of the Pit River Tribe.

Section 1103. Confidentiality. All records, documents, and information submitted by any person pursuant to this membership ordinance shall be maintained and stored in confidential files by the Enrollment Office. Confidential material shall be available only to members of the Enrollment Committee at regularly called meetings of the Enrollment Committee, or to the Tribal Council relative to an appeal taken pursuant to the provisions of this ordinance.

It shall be a public offense for any person employed by the Pit River Tribe or any member of the Enrollment Committee who has possession of, or access to, membership enrollment records which contain individually identifiable information, to disclose any such information without consent of either the person or persons concerned or the Enrollment Committee. Any person found guilty of releasing or disclosing such information shall be subject to loss of employment and/or loss of tribal membership.



**Pit River Tribal Secretary**  
**Monthly Report September 2013**  
**Task/Projects**

**Article XII. Effective Date of Ordinance.** [numbered as XIII in document but XII in Table of Contents]

This ordinance shall become effective upon adoption by majority vote of the Pit River Tribal Council meeting in accordance with the quorum requirement of Article XI, Section 1(a), of the Constitution of the Pit River Tribe.

[Back to Top](#)

[Home](#) | [Search](#) | [Disclaimer](#) | [Privacy Statement](#)