



ENROLLMENT DEPARTMENT RULES AND REGULATIONS

PONCA TRIBE OF OKLAHOMA

These rules and regulations are enacted pursuant to the authority contained in Section I, Article II of the Tribe's Constitution, this governs future membership and loss of membership in the Ponca Tribe of Oklahoma. Article II, Membership of the Constitution and Bylaws of the Ponca Tribe of Oklahoma

Section 1. The membership of the Ponca Tribe of Indians of Oklahoma shall consist of the following persons, regardless of their residence.

- a. All persons of Indian blood who were enrolled or were entitled to be enrolled on the official census roll of the Ponca Tribe as of January 1, 1940, provided that within five years after the adoption of this Constitution and Bylaws the said roll may be corrected by the Business Committee of the Ponca Tribe, subject to the approval of the Secretary of the Interior.
- b. All children of one-eighth or more Ponca Indian blood born since the date of said roll, one of whose parent/grandparent is a member of the Ponca Indian Tribe
- c. A person who has the blood of the Ponca Tribe of Indians of Oklahoma and who also has the blood of another Indian tribe, may be eligible for enrollment if said person was enrolled in another Indian tribe prior to turning 18 years of age. No person over the age of 18 and who voluntarily relinquishes membership from the Ponca Tribe of Indians of Oklahoma shall be eligible for re-enrollment.

Section 2. Persons whose parents are not recorded on official records as Ponca Indians of Oklahoma must prove by other acceptable evidence that they possess the required degree of Ponca Indian blood. Changes in degree of Indian blood from that shown in the records may be made in accordance with the procedures established by the Ponca Tribal Business Committee, provided any change in blood shall be subject to the approval of the Enrollment Committee and final approval being made by the Ponca Tribe Business Committee.

Section 3. Applications for membership must be supported by birth certificates or authenticated copies thereof and/or other records recognized by State or Federal Recorders, as required by the circumstances of each application. All evidence will be retained by the Enrollment Department and final approval by the business committee to support the record.

Section 4. Persons adopted by individual Ponca tribal members shall not be eligible for membership unless they otherwise qualify for enrollment.

Section 5. Persons found to be enrolled with another Indian tribe shall be notified of their dual enrollment status by mail. They shall be given ninety (90) days from the date of the receipt of the notice in which to elect the tribe with which they wish to retain their membership. In the event they do not notify the Enrollment Committee as specified above, their name will be removed from the Ponca Tribe Membership Roll.

Section 6. No person who possesses no Ponca Indian blood shall be enrolled as a member of the Ponca Indian Tribe.

Section 7. The Ponca Tribal Business Committee shall elect the Ponca Tribal Enrollment Committee.

Section 8. The Ponca Tribal Business Committee shall have power to prescribe rules and regulations subject to the approval of the Ponca Tribe Business Committee, governing future membership including adoptions and loss of membership.

1. WHO MUST FILE APPLICATIONS FOR ENROLLMENT:

All persons not listed on the membership roll prepared as of January 1, 1940, who request membership with the Ponca Indian Tribe of Oklahoma must file an enrollment application. Applications for minors or incompetents may be filed by parents, guardians, or other persons such as Bureau Welfare and/or Social Workers. No one will be considered for enrollment unless they file or have filed on their behalf an enrollment application.

2. WHEN AND WHERE TO FILE AN APPLICATION:

All enrollment applications must be filed with the Enrollment Clerk or persons designated by the Ponca Business Committee to receive applications. Application forms may be obtained by verbal or written request from the Ponca Tribal Office or the Ponca Tribal Enrollment office. All enrollment applications must be mailed in or delivered in person. Applications will not be accepted otherwise. Completed applications must be submitted by the 15th day of Enrollment meeting. Enrollment cutoff dates are only authorized by the Ponca Business Committee for specific judgement fund distribution or other purposes. The enrollment eligibility and enrollment application filing date for enrollment to share in tribal

judgement fund distributions or other purposes will be set forth in specific regulations authorized by the Ponca Tribal Business Committee.

3. WHAT THE APPLICATION MUST CONTAIN:

Each enrollment application must be completed in its entirety and contain sufficient personal information to properly determine the applicant's eligibility for enrollment. Applications must show ALL the names by which the applicant is known. In addition, the application must contain the applicants address, social security number, contact number, email address, degree of Ponca Indian blood, the name of the Ponca Allottee ancestor, name of the tribe and degree of any other Indian blood, indicate whether the applicant is adopted, and whether they are enrolled with another Indian tribe. The application must be accompanied by the original certified birth certificate, or a photostatic copy of their birth certificate, or hospital birth record. A DNA or genetic marker test (obtained at the applicant's sole expense) determining the probability that a specific tribal member is the natural father of the applicant to be not less than 98%; or a court order declaring a specific tribal member to be the natural father. The original birth certificate, if submitted with the application must be dated and signed by the applicant or the parent, guardian, or sponsor of a minor or incompetent applicant.

4. PROCESSING OF APPLICATIONS BY TRIBAL ENROLLMENT SUBCOMMITTEE:

A five-member Tribal Enrollment Subcommittee shall be appointed by the Ponca Business Committee, pursuant to Section 8. The Tribal Enrollment Clerk shall serve as the Chairman of the Enrollment subcommittee. The Chairman of the Tribal Enrollment Subcommittee who is the Tribal Enrollment Clerk shall have the authority to review, research and process all enrollment applications. Upon completion of research, the decision of the Enrollment Subcommittee shall be documented indicating approval or disapproval of the applications. The Ponca Tribe Business Committee has final determination. Applicants who meet eligibility requirements for tribal enrollment pursuant to the membership provisions of Article II of the Tribe's Constitution and Bylaws shall be notified of their enrollment in writing by the Chairman of the Enrollment Subcommittee, with a copy of the notification maintained on file with the application. When a Certificate of Indian Blood Card is distributed, the first card is free, should a replacement card be requested within a year, a fee of \$10 will be applied each time. The replacement fee for ages 65 and over is at no charge indefinitely. Certificate of Indian Blood Cards are only issued for enrolled members of the Ponca Tribe of Indians of Oklahoma.

The Enrollment Application and Required Documents must be submitted together to the Department of Enrollment. If the Enrollment Application is not complete it will be placed in the incomplete file for six months, then shredded and you will have to reapply with a new Enrollment Application with required documents. The Enrollment Application will only be submitted to the Enrollment Committee if completed.

All new information data is to be recorded immediately on the Tribe's membership roll, including addition of new members, dates of death of deceased members, name changes and any other

corrective updates. The Tribe is to maintain a current membership roll by submitting information for computerization.

An adopted person's eligibility for enrollment is to be determined through one or both natural parents. Documentary evidence submitted to support an adopted person's application for enrollment must show relationship to the natural parent through whom eligibility for enrollment is determined. The information concerning adopted persons shall be recorded as confidential and shall not be made public to any other person, including the enrollee. Only the adoptive parents shall be notified of an adopted child's eligibility or ineligibility for enrollment. No information concerning an adopted person shall be released to the natural parent(s) or any relative of the natural parent(s).

The enrollment records of the Ponca Indian Tribe of Oklahoma are to be maintained at the Ponca Tribal Office unless a change authorization by appropriate resolution of the Ponca Business Committee. The Tribe shall maintain a record of the names of those applicants whose applications were rejected. Non-enrolled, descendency letters are only distributed if enrollment descendency application is on file. Non-enrolled descendency letters will not list the blood quantum, only the blood quantum for parent/grandparent will be listed.

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PROCESSING OF APPLICATIONS BY TRIBAL ENROLLMENT SUBCOMMITTEE:

The Tribe's membership roll may be viewed by any Ponca Indian Tribal member who comes into the Ponca Tribal Office and receives permission from the Tribal Enrollment Clerk to examine the roll for inclusion or correction of the enrollment data for themselves or family members. However, the roll or any portion thereof may not be copied and/or distributed to any person or organization except upon permission of the Ponca Business Committee by appropriate resolution. The Ponca Business Committee shall use its discretion in using and/or releasing specific print-outs lists for the benefit of tribal members or tribal programs.

Records:

A. Contents of individual folders:

An individual folder shall be established for each tribal member and applicant. The folder shall contain the following items:

1. Application
2. Family Tree
3. Birth Certificate
4. Social Security card
5. Correspondence
6. All other documents on the person pertinent to the membership of the tribe
7. death certificate.

B. Access to records:

1. The Folders:

Information in individual folders is confidential and is only available to the individual (or his/her parent or legal custodian) for viewing upon permission from Ponca Tribe Business Committee. Family Tree Chart can be copied and dispersed to the individual. Once a

family member is deceased then can an individual have a copy of their Family Tree Chart upon providing proof of relationship and permission from Ponca Tribe Business Committee.

2. Special Concern:

The information concerning the adopted person shall be recorded as confidential and shall not be made available to any person. This information shall be stored in locked file cabinets and adequate safeguards shall be installed to ensure that the confidentiality of these records shall not be violated.

5. APPEALS FOR MEMBERSHIP PURPOSES ONLY:

Applicants who are found to be ineligible by the Enrollment Subcommittee shall be notified of their rejection by mail. The rejection shall state the specific reason they do not qualify, whether it be for insufficient degree of Indian blood, no allottee ancestor, etc. Each rejected applicant shall also be advised of their right to appeal that decision to the Ponca Business Committee. The Ponca Business Committee shall have the authority to make the final determination when the applicant is rejected for membership. The final determination by the Ponca Business Committee shall be based solely on documentary evidence presented with the application and appeal which establishes that the applicant does or does not qualify for membership pursuant to the provisions of Article II of the Constitution and Bylaws of the Ponca Indian Tribe of Oklahoma. The appellant should be advised to submit with their appeal any supporting evidence not previously furnished.

6. LOSS OF MEMBERSHIP: There are two ways in which membership of the tribe may be lost. One is voluntary and is called relinquishment. The other is involuntary and is called disenrollment.

The Ponca Business Committee shall have the authority to disenroll any member who is found to be ineligible for tribal membership pursuant to the Tribe's constitutional membership requirements after having been initially approved for membership. The member whose disenrollment is to be considered shall be notified, by mail, of the reason for the proposed disenrollment and of which a hearing will be held by the Ponca Business Committee and to decide on the disenrollment action. After considering the evidence presented, either orally or in writing, by the member or the member's representative as

7. Cont'd

LOSS OF MEMBERSHIP:

well as all other available evidence, the Ponca Business Committee shall, by resolution, set forth its decision regarding the proposed disenrollment.

Member of the Ponca Indian Tribe who receive or, if a minor, whose parent, or guardian receives for him, land, or money by virtue of been enrolled with another tribe shall be subject to immediate disenrollment actions.

The Ponca Business Committee's decision shall be final for the Tribe. A member who has been disenrolled shall be notified of his right to appeal to the Ponca Tribe Business Committee. Appeals for disenrollment actions must be in writing addressed to the Ponca Tribe Business Committee. All appeals must be filed within thirty (30) days from the date of receipt of the notice of disenrollment.

RELINQUISHMENT PROCESS:

Any adult member of the Ponca Tribe of Oklahoma may voluntarily relinquish his/her membership. Such relinquishment must be in writing on the Ponca Tribe's Relinquishment Form and notarized. The enrollment staff shall note the date of the relinquishment and prepare a Resolution for Ponca Tribe Business Committee approval. After the Business Committee has acted, file the relinquishment form in the former member's folder and move the folder into the designated area for former members. The enrollment staff will then update information into Progeny system.

Forms and effective dates-any member desiring to relinquish shall be encouraged to contact the accepting tribe of that individual desired membership. The member insists upon relinquishing from Ponca Tribe of Oklahoma by submitting a relinquishment form, the tribe will comply with the member's wishes and remove the member's name from the current tribal roll with the effective date being the date the relinquishment was received by the enrollment staff. Once the member relinquishes, they are not eligible to reenroll with the Ponca Tribe of Oklahoma.

8. DECEASED MEMBERS:

The name of a person whose date of death is found to be before the deadline date for enrollment eligibility for a specific purpose shall automatically be removed from the Tribe's membership roll. Documentary evidence confirming the date of death should be requested. When original death certificate is received, they shall be filed and separated.

Death dates of enrolled members are to be recorded on the roll immediately and notification will be sent to Bureau of Indian Affairs, Southern Plains Region, Pawnee Agency.

9. COMPUTING DEGREE OF PONCA INDIAN BLOOD:

Pursuant to the membership provisions of the Tribe's Constitution, the blood degree of the Ponca allottees shall be used in all cases for the purposes of computing eligibility of their descendants to be enrolled as members of the Ponca Indian Tribe of Oklahoma, with the provision that the Tribal Enrollment Subcommittee shall have the authority to make corrections of mathematical errors and segregation of Indian blood, when another tribe is also named.

Provable Ponca blood from other than Ponca allottees can be ascribed to descendants of Ponca allottees for the purpose of computing total Ponca blood degree.

10. AMENDMENTS:

The Ponca Business Committee may amend these rules and regulations by a majority vote of a quorum at any meeting of that body. Such amendments shall become effective upon approval of the Ponca Tribe Business Committee.

Current Policy:
Section 1. Part B.

All children of one-eighth or more Ponca Indian blood born since the date of said roll, one of whose parent/grandparent is a member of the Ponca Indian Tribe

Amended Policy:
Section 1. Part B.

All children of one-eighth or more Ponca Indian blood born since the date of said roll, one of whose parent/grandparent-~~great grandparent~~ is a member of the Ponca Indian Tribe.