

RESOLUTION OF THE PAPAGO TRIBAL COUNCIL
(Adopting Enrollment Manuel)

RES. NO. 137-81

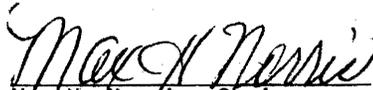
1 WHEREAS, the Papago Council did by Ordinance No. 05-81, enact the Papago
2 Enrollment Ordinance; and

3 WHEREAS, the Papago Council has reviewed the attached Enrollment Manuel
4 designed to supplement the provisions of the Enrollment Ordinance.

5 NOW, THEREFORE, BE IT RESOLVED by the Papago Council that it does hereby
6 adopt the attached Enrollment Manuel.

7 The foregoing Resolution was duly enacted by the Papago Council on the 4th
8 day of November, 1981, at a meeting at which a quorum was present with a vote
9 of 1106.5 for; 41.5 against; 0 not voting; and 0 absent,
10 pursuant to the authority vested in the Papago Council by Section 2 (e), (f)
11 and (h) of Article V of the Constitution and By-laws of the Papago Tribe of
12 Arizona as amended, ratified by the Papago Tribe on December 12, 1936, and
13 approved by the Secretary of the Interior on January 6, 1937, pursuant to
14 Section 16 of the Act of June 18, 1934 (48 Stat. 984). Said Resolution is
15 not subject to review by the Secretary of the Interior and is effective as
16 of the date of its enactment by the Papago Council.

THE PAPAGO COUNCIL


Max H. Norris, Chairman

16 ATTEST:

17 
18 Rose Johnson, Secretary
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PAPAGO ENROLLMENT MANUAL

1 GENERAL: The Papago Council has, by Resolution No. 10-74, authorized the
2 preparation of a current membership roll. This Manual is intended to help
3 the enrollment committee in establishing guidelines for the enrollment of
4 members of the Papago Tribe in accordance with the Constitution of the
5 Papago Tribe, as amended, ("Constitution"), and with the Papago Enrollment
6 Ordinance No. 05-81, enacted effective the 7th day of October, 1981,
7 ("Enrollment Ordinance").

8 MEMBERSHIP

9 Membership in the Papago Tribe is determined in accordance with the Provisions
10 of Sections 1 or 2 of Article II of the Papago Constitution, as amended on
11 January 21, 1978.

12 1) Membership by Qualification:

13 Section 1 provides, in part, that "membership of the Papago Tribe
14 shall consist of the following:

15 (a) All Indians whose names appear on the official census
16 rolls of the Sells and Gila Bend Reservation as of
17 January 1, 1937, and of the San Xavier Reservation
18 as of January 1, 1940 . . .

19 (b) All children born to resident members."

20 All persons who meet the constitutional requirements set out in
21 paragraph (a) or (b) of Section 1 qualify for tribal membership. They
22 must, however, file membership applications for enrollment and comply
23 with the enrollment procedures of the Enrollment Ordinance in order
24 to become "enrolled" members of the Tribe.

25 2) Membership by Adoption:

26 Persons who do not meet the constitutional qualifications for member-
27 ship described in Section 1 but who are one-half degree or more of
28 Papago Indian blood may, under the provisions of Section 2 of Article II
29 of the Constitution, be adopted into tribal membership by the Papago
30 Council. Section 2 provides that "the Council shall have the power to
31 adopt into tribal membership anyone who is one-half degree or more of
32 Papago Indian blood."

Persons who were adopted into tribal membership by the Papago Council
prior to the effective date of the Enrollment Ordinance must file a
membership application for enrollment and comply with the enrollment
procedures of the Enrollment Ordinance in order to become "enrolled"
members of the Papago Tribe.

Persons who were not adopted into tribal membership by the Papago
Council prior to the effective date of the Enrollment Ordinance and who
do not meet the membership requirements of Section 1 of Article II of

1 the Constitution, but who claim to be one-half or more Papago Indian
2 blood may file an application for adoption into tribal membership. Such
3 persons must simultaneously file an application for determination of
4 blood degree by the enrollment committee pursuant to Article IV of the
5 Enrollment Ordinance. Upon receipt of a final non-appealable determina-
6 tion of the degree of Papago Indian blood their application for adoption
7 will be processed in accordance with the provisions of Article VII of
8 the Enrollment Ordinance and if approved by the Papago Council their
9 names will be entered on the membership roll of the Papago Tribe.

8 DEVELOPMENT OF CORRECTED BASE ROLL

9 1) Base Roll:

10 Section 1 (a) of Article II of the Constitution adopts the official
11 census rolls of the Sells and Gila Bend Reservations as of January 1,
12 1937, and of the San Xavier Reservation as of January 1, 1940, as the
13 base roll of the Papago Tribe.

14 2) Corrected Base Roll:

15 Since the three census rolls upon which the base roll is based were
16 compiled primarily for the purpose of reflecting the number of persons
17 associated with the Sells, Gila Bend and San Xavier Reservations, they
18 contain names of all persons who had some association with the particular
19 reservation groups, including non-Indians and Indians who were members of
20 non-qualifying Indian tribes. Therefore, Section 1 (a) of Article II of
21 the Constitution provides that "additions and changes may be made to said
22 rolls by the Papago Council subject to the approval of the Secretary of
23 the Interior." Corrections to the base roll shall be made as follows:

24 1. Names to be removed: Remove from the census rolls the
25 names in the following categories:

- 26 a) Non-Indians
27 b) Indians who were members of Indian tribes which as of
28 the date of the census rolls on which their names appear
29 were not federally recognized as eligible by the United
30 States Government through the Secretary of the Interior
31 for special programs and services provided by the
32 Secretary to Indians because of their status as Indians,
and which tribes have not been terminated.
c) Persons who, prior to the date of the census roll,
relinquished their membership in the Tribe.
d) Persons who died before the date of the census roll,
but whose names were placed on the census roll through
error.

33 2. Names to be added: Add to the base roll the names of persons
34 born prior to and living on the date of the roll whose names
35 should have been on the roll but through error were not included.
36 (Individuals in this category may be persons of Papago Indian
37 blood who at the time of the roll were residents of the United
38 States.)

- 1 States and were not available to the census roll takers,
2 including lineal and collateral ancestors and descendants of
3 persons on the roll, such as parents, brothers, sisters,
4 uncles, aunts and cousins. The additions of the names of
5 such individuals should be based upon the affidavit of an
6 applicant or applicant's sponsor and upon other independent
7 evidence, such as official ethnic and census reports and
8 studies, historic documents, and the affidavits of relatives
9 or other persons who have definite knowledge that the indi-
10 vidual's name was omitted from the roll through error).
- 11 3. Other Corrections: Corrections should be made in the spelling
12 of names, surnames of illegitimate children, dates of birth,
13 mathematical or typographical errors on degree of Papago or
14 Indian blood, etc.
- 15 4. Council Action: The enrollment committee shall submit all
16 corrections it finds should be made to the base roll in order
17 to develop a corrected base roll to the Papago Council with
18 whatever evidence it has to substantiate the committee's
19 findings. The approval of any corrections to the base roll
20 by the Papago Council shall be subject to the further approval
21 of the Secretary of the Interior.

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CURRENT MEMBERSHIP ROLL

The membership roll shall consist of:

1. All Indians born to and living on the effective date of, and whose names appear on, the corrected base roll.
2. Names to be removed: Remove from the corrected base roll the names of:
 - a) Persons who have died since the dates of the base roll. (Such deletions may be based upon information obtained from death certificates, newspaper articles, and from statements in writing from funeral homes, relatives, or other persons who have definite knowledge of an individual's death, upon such forms as may be prescribed by the enrollment committee).
 - b) Persons who have relinquished or otherwise lost their membership since the date of the base roll. A person may lose membership in the Papago Tribe by:
 - (i) Relinquishment. A member of the Tribe may relinquish his membership by submitting a statement in writing to the Papago Council. Relinquishment may be limited or complete, depending on the wording of the statement. A copy of the relinquishment should be furnished to the enrollment committee. In case of a minor or incompetent, relinquishment should be made by the parent, guardian or other person legally authorized to act on behalf of the parents. Relinquishment does not require the approval of the Papago Council, but does necessitate recognition by the Council that the individual has renounced his membership and the deletion of his name from the membership roll. Relinquishment of membership is effective upon receipt of the statement by the Council and cannot subsequently be denied.

1 (ii) Abandonment. A person may lose membership if an
2 ordinance or resolution of the Papago Council
3 specifies that if a member does certain things it
4 shall be considered an abandonment of his member-
5 ship in the Papago Tribe. Removal requires
6 affirmative action by the Papago Council and must
7 be in accordance with procedures established by
8 the ordinance or resolution.

9 3. Names to be added: Add to the corrected base roll the names of;

- 10 a) Children born to members who meet the requirements for
11 tribal membership and who have filed a membership appli-
12 cation for enrollment and have received approval of such
13 application from the Papago Council in accordance with
14 the procedures established in the Enrollment Ordinance.
15 b) Individuals who were admitted to tribal membership through
16 adoption by the Papago Council since the date of the base
17 roll but prior to the effective date of the Enrollment
18 Ordinance and who have filed a membership application for
19 enrollment and have received approval of such application
20 from the Papago Council in accordance with the procedures
21 established in the Enrollment Ordinance.
22 c) Individuals who have filed an application for adoption into
23 tribal membership after the effective date of the Enroll-
24 ment Ordinance and have received approval of such applica-
25 tion from the Papago Council in accordance with the
26 procedures established in the Enrollment Ordinance.

27 PROCESSING APPLICATIONS - MEMBERSHIP RECORD

28 All applications for enrollment or adoption shall be on forms prescribed by
29 the enrollment committee. Applications for minors, incapacitated persons,
30 members of the Armed Services stationed outside the continental United States,
31 persons who die after the cut-off date of a roll, or any person in need of
32 assistance, may be filed as sponsors by parents, guardians, next friends,
next of kin, spouses, executors or administrators of applicant's estate.

1. Membership Application: If membership is claimed on the basis
of being a living Indian whose name appears on the base roll,
pursuant to Section 1 (a) of Article II of the Constitution,
the application shall specify the census roll on the basis of
which membership is claimed, and the name and roll number of
the applicant as they appear on such census roll. If the
applicant's name appears on more than one census roll, or
appears more than once on a census roll, the applicant shall
state that fact and shall designate the particular census roll,
name and roll number which shall constitute the applicant's
basis for membership, and the enrollment committee shall make
the appropriate correction(s) on the base roll.

If a membership is claimed on the basis of birth to a member
of the Papago Tribe, pursuant to Section 1 (b) of Article II
of the Constitution, the application shall be accompanied by
a birth certificate or other acceptable evidence of birth or
parentage, such as baptismal certificates and health or school
records which show the names of parents. The documents should
not be returned to the applicant unless copies are made for
the enrollment file. If the document is not returned, the

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applicant should be furnished with a receipt as evidence that it has been received.

If membership is claimed on the basis of adoption into tribal membership by the Papago Council prior to the effective date of the Enrollment Ordinance, pursuant to Section 2 of Article II of the Constitution, the application shall be accompanied with a copy of the Resolution of the Papago Council adopting the applicant into the Papago Tribe.

2. Adoption Application: If membership is claimed on the basis of adoption into tribal membership by the Papago Council after the effective date of the Enrollment Ordinance, pursuant to Section 2 of Article II of the Constitution, simultaneous applications both for adoption and for determination of blood degree must be filed with the enrollment committee.
3. Filing of Applications: Upon receipt of a signed membership or adoption application, it shall be checked against other applications on file to prevent duplication, and it shall be dated, numbered and signed by the person filing the application.

All applications shall be numbered consecutively as received, as follows:

Filing Number/Regional Reference/Last two digits of year.

For purposes of numbering the applications, the following initials shall be used as Regional References:

Baboquivari - B	Gu Achi - GA
Chukut Kuk - CK	Sif Oidak - SO
Sells - S	Gila Bend - GB
Schuk Toak - ST	Hickiwan - H
San Xavier - SX	Gu Vo - GV
Pisinemo - P	No District - ND

The applications shall be filed numerically and by Regional Reference. Once a number and Regional Reference has been assigned to an application it shall not be changed. The Regional References are to be used for enrollment numbering purposes only, and no residence of other conclusions shall result from the use thereof.

4. Membership Record: The enrollment committee shall transcribe all verified information from each application to a Membership Record. Names shall be listed in strict alphabetical order, surname first. Married women should be shown by their surname as of the date of the application. Their maiden name or other name by which they may have been known should be shown separately. If a woman has children by a previous marriage and their surnames are different from hers, the children should be listed in proper alphabetical sequence and the enrolled parent or parents identified in the remarks column of the Membership Record.

The date of birth should be obtained from a birth certificate, or from other acceptable evidence in applicant's enrollment file. Birthdates, rather than the chronological age of the individual, should be set out and, if the individual was born prior to 1900, the entire year of birth should be shown, i.e. 4/1/1873, rather than 4/1/73.

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The date and application number shall be shown. Care should be exercised to indicate the proper sex of each individual. In case of doubt, the birth certificate should be checked.

The individual's social security number should be shown whenever possible, but its disclosure shall always be voluntary. His mailing address, and the Village and District of his residence should be shown. Minor children should be listed as having the same Village and District residence as their parents or guardian even though they may be living elsewhere.

The individual's number on the base roll should be shown or, if he was not listed on the base roll, the name of his ancestor on the base roll should be shown, together with the roll number of such ancestor and his relationship to the ancestor.

The constitutional authority for enrollment should be shown. Article II of the Papago Constitution contains the constitutional authority for enrollment of persons as members of the Papago Tribe and sets out two (2) grounds upon which a claim for membership and enrollment can be based, i.e.

1. Section 1 of Article II of the Constitution provides that:
 - a) all Indians on the base roll, and
 - b) all children born to resident members.

Consequently all living Indians listed on the corrected base roll are eligible for membership in the Tribe. Unless, however, an individual's name appears on the corrected base roll, he must establish that his parents were residents of the Papago Reservation at the time of his birth if he claims membership in the Tribe by reason of descent from an ancestor on the base roll. "Resident" means any member who lives on the Papago Reservation with the intent to make the Reservation his or her only permanent home. The intent to return to the Reservation shall be presumed and can only be rebutted by clear and convincing evidence to the contrary.

2. Section 2 of Article II of the Constitution provides that the Papago Council can adopt anyone into tribal membership, no matter where born or where their parents resided at the time of their birth, provided they are one-half degree or more Papago Indian blood.

In order to qualify for adoption into tribal membership an individual must establish that he is at least one-half degree Papago Indian blood. Consequently, the Membership Record should include each individual's degree of Indian and Papago Indian blood.

Degree of blood. The degree of Indian or Papago Indian blood possessed by an individual is 1/2 of the combined degree of Indian or Papago Indian blood possessed by his parents. Determination as to the degree of Indian or Papago Indian blood possessed by descendants of persons enrolled on the base roll, or subsequent membership rolls approved by the Papago Council, should be based on the degree of Indian or Papago Indian blood shown on such rolls for the enrolled ancestor, except (a) where discrepancies are found to have been caused by mathematical error in computation, (b) where discrepancies are found in the degree of blood ascribed to the various lineal descendants of

1 a common ancestor, or (c) where the enrollee or the applicant for enrollment
2 questions the degree of Indian or Papago Indian blood shown on such rolls and
3 requests in writing that the degree be changed. In cases where a discrepancy
4 in degree of Indian or Papago Indian blood shown on such rolls appears to the
5 enrollment committee to be (a) the result of a mathematical error in computa-
6 tion or (b) of varying ascriptions of degree of blood to lineal descendants
7 of a common ancestor, or (c) when the enrollment committee has received a
8 written application from an enrollee or applicant for a written determination
9 of the degree of Indian or Papago Indian blood in accordance with Section 1
10 of Article V of the Enrollment Ordinance, the enrollment committee should
11 examine all available records, including agency records of the B.I.A., and
12 make its determination on the preponderance of evidence before it. There are
13 no definite criteria for determining the most reliable records and evidence,
14 and each case must be considered on its own merits. Where there are conflict-
15 ing records or evidence as to the degree of blood, and the records or evidence
16 supporting different degrees of blood are of equal weight or merit, the
17 presumption shall be in favor of the higher degree of Indian or Papago Indian
18 blood. Testimony of older members of the Tribe may be considered but should
19 not be relied on as conclusive evidence.

20 If it is determined by the enrollment committee that the degree of
21 Indian or Papago Indian blood shown in the records should be changed, where
22 necessary, an appropriate adjustment should be made in the degree of Indian
23 or Papago Indian blood ascribed to all members of the family of the enrollee
24 or applicant for enrollment. Before such adjustments are made, the head of
25 each family concerned shall be notified of the proposed changes in accordance
26 with the provisions of Section 2 of Article V of the Enrollment Ordinance,
27 and shall be given at least 20 days in which to show cause why the correction
28 should not be made.

29 Any adjustments in the blood degree of an enrollee on the base roll
30 made by the enrollment committee pursuant to a final determination of blood
31 degree shall be submitted for approval to the Papago Council, together with
32 a copy of the committee's written determination. The Council's approval of
such adjustment and a copy of the committee's written determination shall be
submitted to the Secretary of Interior for further approval by the Secretary
in accordance with the provisions of Section 1 (a) of Article II of the
Constitution.

In determining the degree of Indian or Papago Indian blood of a child
whose parents were not legally married at the time of the child's birth, only
1/2 of the degree of Indian or Papago Indian blood ascribed to its mother
should be counted, unless paternity has been established. Paternity may be

1 established by decree of a court of competent jurisdiction, by the written
2 acknowledgement of paternity signed by the natural father, or by a marriage
3 certificate establishing the subsequent marriage of the natural parents of
4 the child. If paternity can be so established, copies of the documents on
5 which the determination is based should be furnished to the enrollment
6 committee in support of the degree of blood ascribed to the child. Where
7 such documents establishing paternity are not available, an applicant, or the
8 applicant's sponsor, may request the enrollment committee to make determina-
9 tion of the degree of blood of an applicant whose parents were not legally
10 married at the time of the child's birth in accordance with the provisions
11 of Section 4 (B) of Article V of the Enrollment Ordinance. The determination
12 shall be made at a closed hearing of the enrollment committee at which only
13 those persons shall be admitted to the hearing as the committee shall find
14 to have a direct interest in the case before the committee, and shall be
15 based on the sworn testimony of the mother, the natural father or of a rela-
16 tive connected to the mother or the natural father by ties of blood or
17 consanguinity, and on any other relevant evidence adduced by or on behalf of
18 the applicant. The mother's testimony about who the child's natural father
19 is may be heavily, but may not be conclusively, relied on, and other indepen-
20 dent evidence must be presented which will establish paternity by a prepond-
21 erance of the available evidence. The enrollment committee's determination
22 shall be reduced to writing; shall be signed by the chairperson of the
23 enrollment committee and shall set forth the degree of Indian and Papago
24 Indian blood of the applicant and findings of fact upon which the committee
25 based its determination. A notice of the ascription of the degree of Indian
26 or Papago Indian blood to the applicant shall be served on the applicant or
27 applicant's sponsor in accordance with the provisions of Section 4 of Article
28 V of the Enrollment Ordinance.

29 5. Eligibility of Adopted Children for Enrollment. Non-Indian
30 children or children of Indian blood of other tribes adopted
31 by members of the Papago Tribe are not eligible for enrollment.
32 Children of members of the Papago Tribe adopted by members of
the Papago Tribe, or by non-members or non-Indians may be
enrolled if they themselves meet the requirements for enroll-
ment. However, eligibility may be difficult to establish
because often the names of natural parents are not made known
to the adoptive parents. Birth certificates cannot always be
relied upon to prove that an individual is the natural child
of the persons indicated as his parents since certificates of
legally adopted children are usually altered to show the
adoptive parents as the natural parents.

6. Processing Applications: The enrollment committee shall review
all applications for enrollment and shall consider the informa-
tion provided in such applications, together with all other
available evidence concerning an applicant's eligibility for
membership; it may, where it considers that additional informa-
tion is needed, request additional evidence from an applicant,

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or it may request him to appear in person before the committee for a personal interview; it shall make its written recommendations to the Papago Council as to whether an application should be granted or rejected; it shall give notices of hearings before the Papago Council upon its recommendations or that of the Papago Council, and of a person's right to appeal the Papago Council's final rejection of an application to the Papago Courts; and it shall do all these things in conformity with the requirements set out in the Enrollment Ordinance.

7. Membership Roll: When the Papago Council has made its final written determination approving an application for enrollment, the enrollment committee: shall (1) notify the applicant of such determination as required in Section 2 of Article VIII of the Enrollment Ordinance; (2) shall enter the date of the Papago Council's action upon the applicant's Membership Record; (3) shall endorse a Roll number on the Membership Record, which Membership Record shall thereafter become a part of the official Membership Roll of the Papago Tribe.

Moved: Harriet Toro

RESOLUTION- Adopting Enrollment Manual

Second: John Narcho

Resolution
or
Ordinance # 137-81

Date: 11/04/81

Districts	Representatives	No of Votes	For	Against	Not Voting	Absent
BABOQUIVARI 175	1. Edward N. Kisto (Joann Garcia)	87.5	X			
	2. Kenneth Chico, Sr. (Donald Harvey)	87.5	X			
CHUKUT KUK 117	1. Rosemary Lopez ()	58.5	X			
	2. Harriet Toro (Lawrence Jose)	58.5	X			
GU ACHI 123	1. Angelo J. Joaquin, Sr. (Joseph Pete Ramon)	61.5	X			
	2. Cipriano Manuel (Fernando Joaquin)	61.5	X			
GU VO 54	1. Cross Antone (Juan Joe Cipriano)	27.0	X			
	2. Alvin Virgil Lewis (Henry F. Manuel)	27.0	X			
HICKIWAN 79	1. Henry A. Ramon (James Angea)	39.5	X			
	2. Delma Garcia (Archie Pilone)	39.5	X			
PISINEMO 82	1. Lamando Francisco (Herman Lopez)	41.0	X			
	2. Johnson Jose (Frank Garcia)	41.0	X			
SAN LUCY 44	1. Max P. Jose (Garfield Lenzo)	22.0	X			
	2. Albert Gomez (Jeannie Morris)	22.0	X			
SAN XAVIER 107	1. John B. Narcho (Simon Mamake)	53.5	X			
	2. John Lewis (Carmelita Mattias)	53.5	X			
SCHUK TOAK 83	1. Alex Juan (Francisco Jose, Jr.)	41.5		X		
	2. Jo Ann Francisco (Priscilla G. Domingo)	41.5	X			
SELLS 168	1. Andrew M. Patricio (Larry Garcia)	84.0	X			
	2. Fred Stevens (Dennis Jose)	84.0	X			
SIF OIDAK 116	1. Elliot Lewis (Eugene Jose)	58.0	X			
	2. Nicklos Jose (Alice Norris)	58.0	X			
TOTALS		1148.0	1106.5	41.5	0	0