Delaware Nation
P.O. Box 825
Anadarko, OK 73005
405 / 247-2448
Fax: 405 / 247-9393

Resolution #2019-064

APPROVING THE AMENDED CITIZENSHIP ORDINANCE RESOLUTION

WHEREAS, the Delaware Nation is a federally-recognized Indian Tribe that operates in accordance with its Constitution, as ratified on April 21, 1973, as amended from time to time, and recognized by the Secretary of Interior; and

WHEREAS, according to Article VI – Powers of the Constitution, "the Executive Committee shall have specific authority…to promulgate and enforce ordinances and codes governing law and order to protect the peace, health, safety, and general welfare of Delaware tribal citizens…", and generally "shall have full authority to act on behalf of the Nation in all other matters upon which the Nation is empowered to act…"; and

WHEREAS, the Executive Committee approved the amended Citizenship Ordinance with a majority vote at a duly called meeting held on May 7, 2019, and

WHEREAS, the Executive Committee wishes that the amended Citizenship Ordinance becomes effective immediately.

NOW THEREFORE BE IT RESOLVED, that the Executive Committee has approved the attached amended Citizenship Ordinance by motion and resolution and becomes effective immediately.

CERTIFICATION

The foregoing resolution was adopted by the Delaware Nation Executive Committee at a duly called Executive Committee meeting held on May 14, 2019, by a vote of 6 For, 0 Against, 0 Abstentions, a quorum being present.

ATTEST:

Sue Stone

Sue Stone, Secretary

APPROVED:

Debbie Dotson

Deborah Dotson, President

DELAWARE NATION ANADARKO, OKLAHOMA

DELAWARE NATION
CITIZENSHIP ORDINANCE

SECTION 1-AUTHORITY; PURPOSE; MEMBERSHIP SAME AS CITIZENSHIP:

A. Authority. The Delaware Nation Executive Committee, the governing body of the Tribe, hereby enacts this Citizenship Ordinance pursuant to the authority contained in Article III, Section 5 of the Constitution of the Delaware Nation. This Ordinance shall constitute the Executive Committee's rules and regulations concerning Delaware Nation citizenship.

B. Purpose. The purpose of the Citizenship Ordinance is to set forth rules regarding future citizenship, including adoptions and loss of citizenship, pursuant to Article III, Section 5.

C. Membership. The terms membership and citizenship may be used interchangeably in this Ordinance and shall have the same meaning.

D. Dual Citizenship. The Delaware Nation does not permit its citizens to have dual citizenship in the Delaware Nation and any other Indian Tribe.

SECTION 1A—DEFINITIONS:

A. "Certificate of Degree of Indian Blood" or CDIB shall mean the official document issued by the Bureau of Indian Affairs that states a person's degree of Indian blood.

B. "Constitution" shall mean the Constitution of the Delaware Nation as ratified on April 21, 1973 and as amended on March 6, 1976; June 19, 1976, August 15, 1981; August 16, 1986, November 13, 1999, April 22, 2000, and March 16, 2019.

C. "Delaware Nation", "Nation", or "Tribe" shall refer to the Delaware Nation, formerly known as the Delaware Tribe of Western Oklahoma.

D. "Delaware Citizen" or "Tribal Member" shall mean a person who is listed as a citizen of the Delaware Nation who has met the requirements for citizenship consistent with the Constitution and this Ordinance.

E. "Money" shall mean cash or any financial benefit or payment of any kind, even if held in trust or paid for the benefit of a minor, even if paid to a third party, including but not limited to per capita payments; gift cards; checks; tuition payments, leases from a tribal housing entity or a tribe; rental assistance, or social services assistance (clothing/utilities/etc.).

SECTION 2-ROLE OF FEDERAL AGENCIES IN ENROLLMENT PROCESS:

No United States government or state agencies, officers or employees shall have any authority, role, or involvement in the process for the enrollment of citizens of the Delaware Nation, absent a federal law specifically requiring such authority or involvement for purposes of distribution of federal funds awarded in a claims case or other specified federal government purpose. In the event that such federal law is enacted, such federal law shall be controlling with regard to enrollment for the limited purpose of such law.

SECTION 3-CONSTITUTIONAL REQUIREMENT FOR CITIZENSHIP:

The Constitution of the Delaware Nation was ratified on April 21, 1973, and amended on March 6, 1976, June 19, 1976, August 15, 1981, August 16, 1986, November 13, 1999, April 22, 2000, and March 16, 2019. Article III of the Constitution as amended, which shall be applied to all determinations regarding Delaware Nation citizenship eligibility, provides:

ARTICLE III-CITIZENSHIP OF TRIBE

(Pursuant to Amendment 1, adopted March 6, 1976, Amendment IV, adopted August 15, 1981, Amendment X, adopted November 13, 1999, Amendment XII and XIII adopted March 16, 2019.

Section 1. The citizenship of the Delaware Nation shall consist of the following persons; provided they have not received land or money by virtue of having been enrolled as a citizen of another Indian Tribe.

(a) Those persons who prior to the ratification of this amendment qualified for citizenship under previous citizenship requirements.
(b) All persons of Absentee Delaware Indian Blood, who received an allotment of land, under the present jurisdiction of the Anadarko Area office, shall be included as full-blood citizens of the Tribe.
(c) All living lineal descendants of individuals eligible for citizenship under the provisions of Section 1 (b) and Section 2 of Article III.
(d) All persons born on or after the effective date of this amendment, both of whose natural parents are citizens of the Delaware Nation regardless of degree of Absentee Delaware Indian blood.
(e) The Delaware Indian blood for all members of the Delaware Nation shall be shown on the citizenship roll as Delaware Nation Indian blood.

Section 2. All persons identified in Section 1 (b) of this Article shall be considered as possessing 4/4ths degree Delaware Indian blood for the purpose of computing eligibility of their descendants for citizenship under Section 1 (c) or 1 (d) of this Article. Brothers and sisters of the Absentee Delaware Indian blood of all persons identified in Section 1 (b) shall likewise be considered as possessing 4/4ths degree Absentee Delaware Indian blood.

Section 3. Any person who applies for citizenship who otherwise qualifies for citizenship but who has been enrolled as a member of another Indian tribe may be enrolled as a citizen of the Delaware Nation; provided he has not shared in land or money as a member of another tribe; and provided further that he relinquishes in writing his membership in the other Indian tribe; and provided further, that such applicant is admitted to citizenship by a majority vote of the tribal citizens in General Council.

Section 4. The Executive Committee shall appoint a Citizenship Committee composed of tribal citizens who are not members of the Executive Committee which shall have the responsibility of preparing and maintaining the current citizenship roll consistent with the provisions of this Article.

Section 5. The Executive Committee shall have the power to prescribe rules and regulations covering future citizenship, including adoptions and the loss of citizenship.

SECTION 4-ENROLLMENT DIRECTOR:

The Delaware Nation Enrollment Director shall perform the duties and functions described in this Citizenship Ordinance, including but not limited to ensuring that all applications for citizenship are complete for the Citizenship Committee to review. The Enrollment Director may authorize other staff under the Enrollment Director's supervision to assist in accepting and processing enrollment applications.

SECTION 5-CITIZENSHIP COMMITTEE:

A. Citizenship Committee Responsibilities
The Citizenship Committee shall have the responsibility of preparing and maintaining the current citizenship roll consistent with the Delaware Nation Constitution and this Ordinance.

B. Term of Office
Citizenship Committee members shall serve a term of two (2) years. The Executive Committee may reappoint the member(s) to another two (2) year term, with no term limits.

C. Appointment
The Executive Committee shall appoint three (3) persons to serve on the Citizenship Committee. These appointees shall be composed of duly-enrolled Delaware Nation tribal citizens who are not serving as the Enrollment Director and who are not members of the Executive Committee.

D. Designation of Officers
The Executive Committee shall designate a Chairperson and a Secretary from the tribal members appointed to the Citizenship Committee.

E. Quorum
Two (2) members of the Citizenship Committee shall constitute a quorum.

F. Vacancies
A vacancy on the Citizenship Committee for any reason shall be filled within sixty (60) days by a new appointee made by the Executive Committee.

G. Removal of Appointee
1) A tribal citizen serving on the Citizenship Committee who fails to attend three (3) consecutive duly called Citizenship Committee meetings without a valid excuse shall result in automatic removal from the Citizenship Committee unless otherwise excused by the Executive Committee. The Citizenship Committee shall document the member's reason(s) for not attending meetings and may officially recommend the member to remain on the Citizenship Committee. The memorandum shall be attached to the Citizenship Committee's minutes and submitted to the Executive Committee for its consideration in determining if such person shall remain on the Citizenship Committee.
2) A tribal citizen serving on the Citizenship Committee who engages in any type of misconduct, including delinquent indebtedness to the Tribe may be removed from the Citizenship Committee by the Executive Committee. Misconduct shall be defined by the Executive Committee. The Citizenship Committee may officially recommend the member to remain on the Citizenship Committee in a memorandum attached to the Citizenship Committee's minutes and submitted to the Executive Committee for its consideration in determining if such person shall remain on the Citizenship Committee.

3) The Executive Committee shall allow the member at issue to appear at a duly-called special Executive Committee meeting to speak about why he/she should remain on the Citizenship Committee. The Executive Committee has the sole discretion to determine if an appointee to the Citizenship Committee is to be retained or removed. This is not a decision appealable to the Tribal Court or to the Court of Indian Offenses.

H. Agreement to Perform Duties: Oath

Each member of the Citizenship Committee shall execute a written agreement and take a solemn oath to perform the duties and responsibilities of their office in accordance with the Constitution and the Citizenship Ordinance. The written agreement shall be placed in the Citizenship Committee Meeting file and a copy retained by the Tribal Administrator.

SECTION 6-APPLICATION FOR ENROLLMENT: SUBMISSION TO ENROLLMENT DIRECTOR; PRELIMINARY PROCESSING:

A. Who May File an Application. All persons not listed on the citizenship roll of the Delaware Nation as amended in accordance with Constitutional Amendment IV, effective August 15, 1981, who request citizenship in the Delaware Nation must submit an enrollment application. Applications for minors or incompetents may be filed by biological parents, adoptive parents, legal guardians, or other sponsors such as social workers, Indian Child Welfare Directors or other social services related staff.

B. Where to File an Application. An enrollment application must be filed with the designated Delaware Nation Enrollment Director. Application forms may be obtained by oral or written request to the Delaware Nation Enrollment Office or on the internet at www.delawarenation.com.

C. When to File an Application. There is no deadline for filing an enrollment application unless:

1) Subsequent to the approval of this Ordinance, Congress enacts a special law concerning distribution of federal funds to the Delaware Nation or its citizens that specifies a deadline for enrollment for purposes of such distribution; or
2) A special enrollment cutoff date for enrollment has been authorized and established by resolution or act of the General Council for specific distribution of tribal funds or for other specified purposes. Such resolution or act may also include additional enrollment requirements consistent with the Delaware Nation Constitution and the Citizenship Ordinance.

D. Contents of Application. Each enrollment application must be completed in its entirety and must contain sufficient personal information to verify the applicant's eligibility for enrollment. Applications must contain the following:

1) All names by which the applicant is known;
2) The address of applicant;
3) Name and allotment number of the applicant's lineal Delaware Nation Original Allottee through whom eligibility for enrollment is claimed; or, if such lineal ancestor was not an Original Allottee, the name and allotment number of the brother and/or sister of said Original Allottee through whom eligibility for enrollment is claimed;
4) Relationship of the Original Allottee(s) to applicant;
5) Name of natural parent(s) or grandparent(s) or great grandparent(s) who are citizens of the Delaware Nation.

6) A copy of the applicant's original birth certificate and a copy of their social security card. The copy of the original birth certificate must be legible, or the applicant will be notified and the application will remain pending until all required documents are received.
7) Any other documentary evidence, such as a notarized paternity affidavit, showing the name of the parent through whom eligibility for enrollment is claimed.
8) Name of tribes and degrees of Indian Blood of any tribe(s) other than the Delaware Nation, whether enrolled or not in such tribe(s).
9) The signature of the applicant, guardian, or sponsor.
10) The date of the submission of the applicant's completed application.
11) Relinquishment form completed by the tribe in which the applicant may be presently enrolled, if applicant is relinquishing membership from another tribe. It is the sole responsibility of the said applicant to ensure that the completed form is sent to the Delaware Nation Enrollment Office.

E. Proof of Enrollment Eligibility for Adopted Person. An adopted person's eligibility for enrollment shall be based on the following:
1) His/her biological parents(s), not his/her adoptive parent(s).
2) Proof of descendancy from an Original Allottee or brother and/or sister of an Original Allottee. Must show the relationship to the biological parent, through whom eligibility of enrollment will be determined.
3) An application accompanied by the original birth certificate, the amended birth certificate, and a copy of the social security card.
4) Court documents that provide the conclusion of the adoption proceeding in accordance with requirements of the Federal Indian Child Welfare Act, 25 U.S.C. 1951.

F. Applicant's Address of Record. The mailing address as stated on the application form shall be acceptable as the address of record for all purposes under this Ordinance including all notices related to meetings, hearings, decisions, reconsiderations, and appeals, unless the applicant provides notice of a change in address to the Enrollment Director, in which case the new address shall be acceptable as the address of record. Every applicant shall be responsible for promptly notifying the Enrollment Director of any change in address.

G. Incomplete Application. No action shall be taken on an enrollment application unless it is complete and includes necessary supporting documents. If an enrollment application is incomplete due to missing information or lack of supporting documents, the Enrollment Director shall notify the applicant of the deficiencies in writing within thirty (30) days of the date of receipt of the application, including a list of information and/or documents required to complete the application. If the applicant provides the requested information and/or documents within sixty (60) days of the date of the notice, the Enrollment Director shall note on the application the date that it was made complete. If the applicant fails to provide the information and/or documents required to complete the application within sixty (60) days of the date of the notice then the applicant will be notified the application is incomplete and will not be processed until a completed application is submitted.

SECTION 7-PROCESSING OF APPLICATIONS: TIME LIMITATIONS:

A. Preliminary Processing by Enrollment Director: The preliminary actions taken by the Enrollment Director in processing applications shall include, but not necessarily be limited to the following tasks, in a reasonable amount of time:

1) Stamp the application form with the date it was received, and acknowledge the receipt of the completed form with supporting documents.
2) Review completed application with supporting documents to ensure requirements were followed by the applicant.
3) Notify the applicant of any deficiencies in the application in accordance with Section 6 (G) of this Ordinance.
4) Place the application and supporting documents into a file to hold until the next Citizenship Committee meeting.
5) Original or certified birth certificates and other original or certified documents will be retained by the Enrollment Office and not be returned to the applicant.
6) If the applicant possesses blood of any other tribe(s) check on possible dual enrollment with such other tribe(s) by sending a form for written confirmation of applicant's past or present enrollment status to the enrollments office at such other tribes and to verify any Indian Blood claimed from any other tribe(s).
7) Submit a memorandum to the Citizenship Committee Chair requesting review of the application by the Citizenship Committee with a courtesy copy to the tribal administrator and Executive Committee and specifying the number of applicants to be presented.

B. Time for Completing Citizenship Application Process. The Enrollment Director shall take reasonable steps to ensure that an Executive Committee decision concerning a completed enrollment application is obtained within ninety (90) days of the date of submission of such completed application.

SECTION 8-CITIZENSHIP COMMITTEE ACTION ON APPLICATIONS:

A. Review of Citizenship Applications. The Citizenship Committee shall review applications for citizenship submitted by the Enrollment Director at a duly called meeting at which a quorum is present. The Enrollment Director shall attend such meetings to assist the Citizenship Committee in its review of citizenship applications. The Citizenship Committee shall review the applications in an impartial manner and make decisions only based upon actual evidence presented pursuant to subsection B, below.

B. Citizenship Committee Decisions. The Citizenship Committee shall make decisions on enrollment applications at its meetings in accordance with the following procedure:

1) The Citizenship Committee shall examine applications and supporting documents presented by the Enrollment Director.
2) The Citizenship Committee shall determine if the application and supporting documents are accurate and sufficient. The Enrollment Director may request additional documents prior to making a decision on an application.

3) The Citizenship Committee shall make a recommendation concerning each applicant for approval or denial based on the application and supporting documents presented.
4) The Citizenship Committee shall sign a recommendation of approval or denial on the enrollment application.
5) Citizenship Committee Meeting Minutes shall be kept on each duly called Citizenship Committee Meeting. The minutes shall reflect the Citizenship Committee's recommendation concerning each application, and shall include a brief statement of the reason for each recommended approval or denial of an application.
6) The applications and supporting documents shall be returned to the Enrollment Director at the end of each Citizenship Committee Meeting. Citizenship Committee members shall not retain any documents and shall maintain the confidentiality of all documents subject to their review.

SECTION 9-EXECUTIVE COMMITTEE ACTION ON APPLICATIONS:

A. Placing Applications on Agenda. The Enrollment Director shall request placement of citizenship application(s) approved or denied by the Citizenship Committee on the next Executive Committee Meeting agenda. The request shall include a written summary containing each applicant's name, and a statement of the Citizenship Committee's recommendation for approval or denial of the application(s).

B. Executive Committee Review. The Executive Committee shall consider each application at a meeting at which a quorum is present. The Executive Committee may base its initial decision on the recommendations of the Citizenship Committee and the summary prepared by the Enrollment Director.

C. Executive Committee Action. No later than ten (10) days from the date of the meeting the Executive Committee shall approve the application, deny the application, or, if necessary, return the application to the Enrollment Director for further investigation. The President and Secretary shall sign each application considered by the Executive Committee whether it be an approval or a denial. An Executive Committee Resolution or Resolutions shall also be prepared listing and identifying all accepted applications, all denied applications, and all applications returned to the Enrollment Director for further investigation. The applications and supporting documents shall be returned to the Enrollment Director at the end of each Executive Committee Meeting. Executive Committee members shall not retain any documents and shall maintain the confidentiality of all documents subject to their review.

D. Record of Reason of Denial. The Enrollment Director shall maintain in the file of each denied applicant a brief written statement of the reason for denial of the application based on the Enrollment Director's observation of the Executive Committee meeting and/or the Executive Committee Resolution, meeting minutes and other relevant materials.

SECTION 10-NOTICE OF INITIAL DENIAL BY EXECUTIVE COMMITTEE: EXECUTIVE COMMITTEE RECONSIDERATION:

A. Written Notice of Denial: Right to Request Reconsideration. Within ten (10) days of the date of an original Executive Committee decision denying a citizenship application, the Enrollment Director shall notify the applicant in writing of the Committee's denial of his/her application by certified

mail sent to the applicant's address of record, return receipt requested. The denial notice shall state the specific reason(s) the application was denied and shall advise the applicant of the right to seek the Executive Committee's reconsideration of its decision upon the applicant's written request delivered to the Enrollment Director no later than thirty (30) days from the date of the notice, together with any supporting evidence **not** previously furnished. The notice shall state that the original decision of the Executive Committee shall be final if the applicant fails to request reconsideration within thirty (30) days from the date of the notice or if the applicant **does not provide additional documentation** not previously furnished. If the applicant fails to timely file a request for reconsideration, or does not provide additional documentation as stated above, the initial decision of the Executive Committee shall be final, and not subject to appeal to any other tribal, federal, or state executive, legislative or judicial entity.

B. Process for Reconsideration by Executive Committee. If an applicant timely appeals the Executive Committee's original denial of his/her application, and provides documentation not previously submitted, the Enrollment Director shall arrange a hearing date with the Executive Committee at a special Executive Committee Meeting, and shall send a notice of the hearing to the applicant's address of record by certified mail, return receipt requested. The notice must be received by the applicant at least ten (10) days before the hearing. The Enrollment Director shall include with the notice a complete copy of the application and the supporting documents considered by the Executive Committee in making its original decision to the applicant. The Enrollment Director shall provide copies of the application and the supporting documents to the Executive Committee at the Hearing. The applicant must also submit any additional relevant documents for the Committee's consideration and shall be afforded an opportunity to make a statement about why he/she asserts that the Executive Committee's decision was based on incorrect facts or was based on an incorrect interpretation of the Constitution of the Delaware Nation and/or this Ordinance. The applicant may be represented by counsel at the Reconsideration Hearing at his/her own expense. The Executive Committee may, in its discretion, order that a Reconsideration Hearing be re-scheduled or continued to later date, upon request by an applicant, the Enrollment Director or upon its own motion.

C. Executive Committee Decision upon Reconsideration. The Executive Committee shall issue a decision affirming its original decision to deny or approve the application no later than ten (10) days from the date of the Reconsideration Hearing. The Executive Committee may reconvene the hearing to verbally announce its decision after going into Executive Session to discuss the application. If the Executive Committee affirms its original decision upon Reconsideration, this decision shall be final and not subject to appeal to any other tribal, federal, or state executive, legislative or judicial entity.

SECTION 11-NOTICE OF DENIAL OF APPLICATION BY EXECUTIVE COMMITTEE AFTER RECONSIDERATION:

A. Written Notice of Executive Committee Denial after Reconsideration: Within ten (10) days of the date of an Executive Committee decision denying an enrollment application after an Executive Committee Reconsideration Hearing, the Enrollment Director shall notify the applicant in writing of the Executive Committee's decision by certified mail sent to the applicant's address of record,

return receipt requested. The denial notice shall advise the applicant that they have no further appeal process. This decision upon denial shall be final and not subject to appeal to any other tribal, federal, or state executive, legislative, or judicial entity.

SECTION 12-ACTIONS FOLLOWING APPROVAL OF ENROLLMENT APPLICATIONS:

A. Notice of Decision. After the Executive Committee has taken action to approve an enrollment application after its initial hearing or upon reconsideration in accordance with Section 10 of this Ordinance the Enrollment Director shall send written notice of approval to the applicant within ten (10) days of the decision.

B. Addition of New Citizens to Citizenship Roll. The new citizens shall be added to the Citizenship Roll by the Enrollment Director. The list of new citizens shall be published in the Delaware Nation newsletter at least once per year and placed on the Delaware Nation's official website in order to inform the General Council of all new citizens.

C. Submission of Reports to BIA. The Enrollment Director shall submit a report listing new citizens of the Delaware Nation to the Bureau of Indian Affairs once per year.

SECTION 13-RECORDS:

A. Content of Individual Folder. An individual folder shall be established for each approved, denied or pending application. The folder shall contain the following items:

1) Application Form
2) Family Tree
3) Birth Certificate (Original Certified Copy)
4) All Correspondence pertaining to the individual citizen
5) Copy of Resolution affecting Enrollment
6) Social Security Card copy
7) Letter of Acceptance
8) Relinquishments, if applicable
9) All other documentation on the individual pertinent to the application

B. Access to Records.

1) Citizenship Roll. The Delaware Nation's citizenship roll may not be viewed by any citizen of the Delaware Nation other than the Enrollment Director, Citizenship Committee, and Executive Committee in the performance of their official duties, and/or the certified candidates of an Election pursuant to the Election Ordinance. Neither the roll, nor any portion thereof, may be copied and/or distributed to any person or organization except upon permission of the Executive Committee of the Delaware Nation by appropriate documentation regarding the purpose and use. The Executive Committee shall have discretion in using and/or releasing non-confidential personal information from the roll for the benefit of the Delaware Nation citizens or Nation programs.
2) Individual Folders. Information in individual folders shall be considered confidential and shall not be available to anyone except the individual citizen or his/her guardian, Enrollment Director, Citizenship Committee, and the Executive Committee of the Delaware Nation when necessary to the performance of their official duties.

3) Special Protection of Confidential Adoption Records. All confidential adoption records of an applicant shall be placed in a sealed envelope recorded as confidential and shall be contained in locked fire-resistant file cabinets; either as part of the applicant's file or in a separate file identifying the applicant. Adequate safeguards shall be installed to ensure that the confidentiality and preservation of these records shall not be compromised.

C. Documents Required for Updating Records. Upon receipt of appropriate documentation, the Enrollment Director is authorized to update the information of the Delaware Nation citizenship roll. The following documentation in its original form or a certified copy is deemed adequate for such actions to be taken.

1) Name Change:
   - Marriage License
   - Divorce Decree
   - Court Order Name Change
   - Copy of New Social Security Card
2) Address Change:
   - Change of Address Form signed by the Tribal citizen or his/her guardian
3) Death:
   - Death Certificate
   - Bureau of Indian Affairs Records
   - Mortuary Records
   - Obituary Notice from Newspaper

D. Approval of Requested Changes without Documentary Support. The Enrollment Director shall present any requested change that is not supported by any of the above documents to the Citizenship Committee and then the Executive Committee for approval by written and executed Resolution stating the reason(s) for the change without usual documentation. The Resolution shall be placed in the individual's folder.

SECTION 14-LINKING LINEAL DESCENDANCY TO ORIGINAL ALLOTTEES OR THEIR BROTHER AND/OR SISTER (PER AMENDMENT 1 EFFECTIVE MARCH 6, 1976):

A. Applicants must be linked by birth certificate to an Original Allottee and/or Persons considered as possessing 4/4 degree of Absentee Delaware Indian blood, pursuant to Amendment I, effective March 6, 1976.

B. Changes to Base Roll. No changes shall be made to the base roll as amended February 3, 1969.

SECTION 15-REMOVAL FROM CITIZENSHIP ROLL:

A. Relinquishments-Adults (18yrs of age and older).

1) Any adult citizen of the Delaware Nation may voluntarily relinquish his/her citizenship.
2) Any adult citizen wishing to relinquish his/her citizenship shall be encouraged to use a conditional relinquishment form. In such case, the relinquishment shall not be effective until:
   a) The Enrollment Director has written confirmation from the other Indian Tribe that the citizen has been accepted into that tribe.
   b) The Citizenship Committee reviews the relinquishment.

c) The Citizenship Committee makes a recommendation to the Executive Committee that the individual should be relinquished from the Nation's roll, because they have been accepted as a member of the other Indian Tribe.

d) The Executive Committee by Resolution relinquishes the individual from the Nation's roll. The date of the Executive Committee Resolution shall be the effective date of relinquishment.

3) After a Resolution is adopted by the Executive Committee, the Enrollment Director will notify the citizen in writing by certified mail, to the last known address, return receipt requested, that their citizenship has been relinquished, effective the date of the Executive Committee Resolution.

4) The Enrollment Director will then change the status of their citizenship from Enrolled to Relinquished in the database.

5) This citizen can never reapply for citizenship under the Citizenship Ordinance.

6) If an adult citizen insists upon a relinquishment of his/her citizenship without using the conditional relinquishment form, the Enrollment Director shall take care to insure:

a) The relinquishment is in writing, and the signature must either be notarized or witnessed by two (2) persons.

b) That the citizen understands that once they provide written documentation that they want their citizenship relinquished, it will be reviewed by the Citizenship Committee, and the Executive Committee will adopt a Resolution relinquishing their citizenship.

7) When the Enrollment Director receives the written documentation from the citizen requesting relinquishment from the Nation, he/she will present the documentation to the Citizenship Committee for review. The relinquishment shall not be effective until:

a) The Citizenship Committee reviews the relinquishment.

b) The Citizenship Committee makes a recommendation to the Executive Committee that the individual should be relinquished from the Nation's roll because they requested the relinquishment and provided written documentation to that affect.

c) The Executive Committee adopts a Resolution relinquishing the individual from the Nation's roll. The date of the Executive Committee Resolution shall be the effective date of relinquishment.

8) After a Resolution is adopted by the Executive Committee, the Enrollment Director will notify the citizen in writing by certified mail, to the last known address, return receipt requested, that their citizenship has been relinquished, effective the date of the Executive Committee Resolution.

9) The Enrollment Director will then change the status of their citizenship from Enrolled to Relinquished in the database.

10) This citizen can never reapply for citizenship under the current Citizenship Ordinance.

B. <u>Relinquishments-Minors (17yrs of age and younger).</u>

1) The citizenship of any citizen of the Delaware Nation who is a minor, may be relinquished by the parent(s) who have legal custody of the minor or a legal guardian(s) who provide a certified copy of a court order authorizing such person(s) to serve as guardian(s). Whenever a relinquishment is submitted for a minor citizen, The Enrollment Director shall take care to ensure:

a) The individual(s) who signed the relinquishment form has legal custody of the minor affected.
b) The relinquishment shall be made upon a conditional relinquishment form.

2) In such case the relinquishment will not be effective until:
   a) The Enrollment Director has written confirmation from the other Indian Tribe that the citizen has been accepted into that tribe.
   b) The Citizenship Committee reviews the relinquishment.
   c) The Citizenship Committee makes a recommendation to the Executive Committee that the citizen should be relinquished from the Nation's roll, because they have written confirmation that the citizen has been accepted as a member of the other Indian Tribe.
   d) The Executive Committee adopts a Resolution relinquishing the citizen from the Nation's roll. The date of the Executive Committee Resolution shall be the effective date of relinquishment.
3) After a Resolution confirming relinquishment is adopted by the Executive Committee, the Enrollment Director shall send a certified letter to the last known address, return receipt requested, informing the parent(s) or guardian(s) that the minor's citizenship has been relinquished, effective the date of the Executive Committee Resolution.
4) The Enrollment Director will then change the status of their citizenship from Enrolled to Relinquished, in the database.
5) This citizen can never reapply for citizenship under the Citizenship Ordinance.

C. <u>Disenrollment:</u>

1) The following citizens of the Delaware Nation shall be subject to disenrollment:
   a) A citizen who is found to have been enrolled on the basis of false information or error.
   b) A citizen who is determined to have accepted benefits of land or money as an enrolled member of another Indian Tribe ; or
   c) Any other citizen who is found not eligible for tribal citizenship pursuant to the citizenship requirements contained in Article III-Citizenship of Tribe, in the Delaware Nation Constitution.
2) When the Enrollment Director determines that a citizen is subject to disenrollment:
   a) The Enrollment Director shall bring the matter to the attention of the Citizenship Committee at their next scheduled meeting.
   b) The Enrollment Director shall present all documentation pertaining to the determination to the Citizenship Committee.
   c) The Enrollment Director shall state the specific reason(s) for the disenrollment.
   d) The Citizenship Committee will then review all documentation pertaining to the determination.
   e) The Citizenship Committee shall then make a recommendation to the Executive Committee concerning the potential disenrollment of the citizen.
3) The Enrollment Director will then:
   a) Request to be placed on the next Executive Committee Meeting agenda to inform them of the recommendation by the Citizenship Committee.
   b) Request a hearing date and time for the Executive Committee to make a decision.

c) Notify the citizen by certified mail to the address of record, return receipt requested, of the Citizenship Committee's recommendation, and the hearing date and time set for the matter to go before the Executive Committee.

4) Following the hearing before the Executive Committee, whether the affected citizen makes any appearance or response, the Executive Committee shall by Resolution make a decision concerning disenrollment.

5) If the Executive Committee creates a Resolution to disenroll the citizen, the Enrollment Director shall:
   a) Notify the citizen by certified mail to the address of record, return receipt requested.
   b) Notify the citizen they shall have the same right to notice and hearing on Reconsideration as an applicant whose application has been denied, as set forth in this Ordinance.

6) Executive Committee Decision Upon Reconsideration:
   a) The Executive Committee shall issue a decision affirming its original disenrollment decision or notifying the citizen they will not be disenrolled, no later than ten (10) days from the date of the Reconsideration Hearing.
   b) Notify the citizen of the Executive Committee's decision by certified mail to the address of record, return receipt requested.
   c) Notify the citizen that this decision shall be final and not subject to appeal to any other tribal, federal, or state executive, legislative, or judicial entity.

SECTION 16-AMENDMENTS: The Executive Committee may amend this ordinance by a majority vote of a quorum at any duly called meeting of the Executive Committee as set forth in said Article III, Section 5 of the Delaware Nation Constitution.

SECTION 17-CERTIFICATE OF ENACTMENT:

The foregoing ordinance was duly enacted by the Delaware Nation Executive Committee at a duly called meeting held on May 7, 2019 by a vote of 5 for, 0, against and 0 abstentions, a quorum being present.

ATTESTED:

Secretary Sue Stone

DELAWARE NATION ANADARKO, OKLAHOMA

APPROVED:

President Deborah Dotson