

S.W.S.T. CODE

Amendment

New Adoption

Judicial Approved

02-06-82

Council Adopted

05-04-82

**SISSETON-WAHPETON SIOUX TRIBE**

**CHAPTER 2**

**ENROLLMENT ORDINANCE**

S.W.S.T. CODE

Amendment

New Adoption

Judicial Approved

Council Adopted

07-15-65

**02-01-01** **BE IT ENACTED** by the Sisseton-Wahpeton Sioux Tribal Council of the Lake Traverse Reservation pursuant to the powers vested by Article II, Section 2, of the Constitution of the Sisseton-Wahpeton Sioux Tribe, that as of the effective date of this ordinance, the procedures for enrollment and such other sections necessary for effective implementation of Article II, Section 1 and 2, shall be as follows:

**02-02-01** **ENROLLMENT COMMITTEE**  
Pursuant to Article III, Section 2, the Executive Committee shall appoint an Enrollment Committee of three (3) persons who are members of the Tribe. It shall be the duty of the Enrollment Committee to maintain the Tribal membership roll and keep it current by:

1. Legibly marking, with red ink, through the names of all deceased persons and showing the date of death of such deceased person.
2. Adding the names of persons found eligible under Article II, Section 1, of the Constitution and Section 02-09-01 of this Ordinance.
3. Deleting the name of any person relinquishing membership with the Sisseton-Wahpeton Sioux Tribe of the Lake Traverse Reservation.

**02-03-01** **FILING OF APPLICATION FOR ENROLLMENT**  
All applicants must fill out an application form approved by the Tribal Council and submit to the Enrollment Committee and provide a birth or baptismal certificate with application. The Enrollment Committee will screen and review all applications and make their recommendations for acceptance or rejection to the Tribal Council for action. All applicants rejected for enrollment will be notified by certified mail stating the reason for such rejection.

**02-04-01** **APPEALS**  
Any person whose application has been rejected for enrollment shall have the right to appeal to the Tribal Council. Such appeal shall be in writing and filed within sixty (60) days from the date the rejection notice is mailed. The appellant may submit with his appeal any additional data not previously furnished. The decision of the Tribal Council on appeal shall be final.

**02-05-01 BURDEN OF PROOF**

The burden of proving eligibility for enrollment shall be upon the applicant. The January 1, 1940, basic membership roll of the Sisseton-Wahpeton Sioux Tribe shall be the authoritative document used to determine blood quantum of all applicants.

**02-06-01 DUAL ENROLLMENT**

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Persons eligible for membership with the Sisseton-Wahpeton Sioux Tribe under Article II, of the Tribal Constitution & By-Laws who are enrolled with another tribe shall relinquish all their rights of membership with that tribe before being accepted for enrolled membership with the Sisseton-Wahpeton Sioux Tribe. Those persons who have shared in a claim judgment award with that tribe shall be eligible to share in all benefits of the Sisseton-Wahpeton Sioux Tribe except claim judgment funds awarded to the Sisseton-Wahpeton Sioux Tribe.

**02-07-01 ILLEGITIMATE CHILDREN**

If the applicant is born out of wedlock, the applicant shall be treated as possessing one-half (1/2) of the degree of Sisseton-Wahpeton Indian blood possessed by the applicant's mother, however, if the application is accompanied by a written acknowledgment of paternity, signed by the father of the applicant before a notary public, then the applicant's degree of Sisseton-Wahpeton Sioux blood shall include one-half (1/2) of the Sisseton-Wahpeton Sioux blood of the father.

**02-08-01 RELINQUISHMENT**

Any member may relinquish his membership in the Sisseton-Wahpeton Sioux Tribe by submitting to the Tribal Council a completed and signed relinquishment form, properly notarized. However, if the relinquishment of a member is for the purpose of enrollment with another tribe, the relinquishment of membership in the Sisseton-Wahpeton Tribe will be contingent upon his or her being admitted to membership in the other tribe. A person who relinquished such membership shall not be entitled to any individual or tribal benefits accruing to members of the Sisseton-Wahpeton Sioux Tribe.

**02-09-01 ADOPTION**

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Persons of one-fourth (1/4) or more Sisseton-Wahpeton Sioux blood may be admitted to enrolled membership by the Tribal Council providing that they meet eligibility requirements in Section 02-06-01.

**02-10-01 EFFECTIVE DATE**

This ordinance shall be effective as of the date of its enactment, April 19, 1965.

02-11-01

**SEVERABILITY**

If any clause, sentence, paragraph, section, or part of this code shall, for any reason be adjudicated by any Court of competent jurisdiction, to be invalid or unconstitutional, such judgement shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, or part thereof directly involved in the controversy in which the judgement shall be rendered.

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