

**PROPOSAL OF ORDINANCE, 2008-ORD-003, TO AMEND ENROLLMENT  
ORDINANCE OF THE MASHPEE WAMPANOAG TRIBE**

Notice is hereby given pursuant to Article IX, §3(2) of the Constitution of the Mashpee Wampanoag Tribe, that the Mashpee Wampanoag Tribal Council is proposing an ordinance titled, 2008-ORD-003, To Amend Enrollment Ordinance of the Mashpee Wampanoag Tribe.

The purpose of this Ordinance is to expedite the review of enrollment applications involving an extenuating circumstance as defined in this Ordinance.

The Mashpee Wampanoag Enrollment Ordinance, Section 3 is amended by the addition of a new subsection. The new subsection provides for expedited review of an enrollment application involving an extenuating circumstance. Such review is limited to an applicant who falls under one of the categories of extenuating circumstances. These applications must still be reviewed for accuracy and compliance with all other requirements in this Ordinance and the Constitution. A determination of acceptance or denial must be issued by written decision no later than five (5) working days after the regularly scheduled meeting in which the Enrollment Committee makes its determination. If the applicant commits fraud or dishonesty in his or her application to qualify for an expedited review and such person is enrolled, that member's eligibility and receipt of Tribal services and benefits will be automatically suspended for five years from the date the Enrollment Committee orders such suspension.

The Enrollment Ordinance, Section 4 is amended by the addition of a new subsection. The new subsection states that an enrollment application shall be given an expedited review and considered on a priority basis if the applicant, documentation which proves the applicant comes under one of the following categories of extenuating circumstances: (1) Tribal Court Action; (2) imminent military deployment; and (3) terminal illness. The Enrollment Committee must make a determination at its next regularly scheduled meeting as to whether such application qualifies for expedited review. If the applicant fails to qualify, the Enrollment Committee shall notify the applicant within five (5) working days after its meeting. If the applicant qualifies, the Enrollment Committee shall expedite a review of the application.

The Enrollment Ordinance, Section 6 will also include a provision for the appeal of denial by the Enrollment Committee. There are no remedies within the Tribal Council. An appeal shall be taken directly to the Mashpee Wampanoag Tribal Judiciary. The appeal must be filed with the Tribal Judiciary within sixty (60) days after receipt of the decision by the Enrollment Committee. If the Judiciary finds the applicant has established his or her right to enrollment, it shall remand to the Enrollment Committee to enroll such person in the Tribe. If the Tribal Judiciary sustains the decision of the

Enrollment Committee, it shall enter a final order to that effect. The Tribal Judiciary's decision in either event shall be final.

Any person interested in obtaining the ordinance in its entirety, may contact the Mashpee Wampanoag Tribal Council at 508-477-0208, or P. O. Box 1048, Mashpee, MA 02649.