



Santa Clara Pueblo Office of Vital Statistics & Enrollment
P.O. Box 580/578 Kee Street, Espanola, New Mexico 87532
Phone: 505-692-6325

TITLE IV - TRIBAL MEMBERSHIP; REGULATION OF NON-MEMBERS

CHAPTER 25: MEMBERSHIP

Sec. 25.6 Membership Status of Persons Both of Whose Parents Are Members

Any person, both of whose biological parents are enrolled members of the Pueblo, as shown by the Register, shall be considered to be a member of the Pueblo, upon such person's submission to OVSE, or the submission on behalf of such person, of a certified copy of such person's birth certificate and any other information required by that office showing that such person's parents are Pueblo members (but provided that in the event the person's birth certificate fails to identify the person's father, the person must submit either a sworn affirmation by the father, together with a report from a reputable testing facility confirming such claim of paternity by DNA testing, or a final court decree determining such person's paternity), and upon approval of the person's membership by the Tribal Council.

Enacted by Res. No. 2014-83, Dec. 18, 2014.

Sec. 25.7 Membership Status of Persons Born On or After December 18, 2014, Only One of Whose Parents is a Member

Any person born on or after December 18, 2014, either of whose biological parents is a member of the Pueblo as shown by the Register, may become a member of the Pueblo, upon such person's submission to OVSE, or the submission on behalf of such person, of a certified copy of such person's birth certificate and any other information required by that office showing that [one of] such person's parents are Pueblo members (but provided that in the event the person's birth certificate fails to identify the person's father, the person must submit either a sworn affirmation by the father, together with a report from a reputable testing facility confirming such claim of paternity by DNA testing, or a final court decree determining such person's paternity), and upon approval of the person's membership by a majority vote of the Tribal Council.

Enacted by Res. No. 2014-83, Dec. 18, 2014.

Sec. 25.8 Procedure for Determining Membership Status of Persons Born Before December 18, 2014, Only One of Whose Parents Was a Member

A. Any person, only one of whose biological parents is an enrolled member of the Pueblo, and which person was born before December 18, 2014, may apply for membership in the Pueblo in accordance with the following standards and procedures:

1. A person who is 18 years of age or older shall submit a verified application to OVSE, on a form to be developed by that office in conjunction with the Pueblo's general counsel, and approved by the Tribal Council, that shall require, among other things, the following information:

a) the applicant's name, current address, birthplace and birthdate, Social Security number, e-mail address if available, and current employment if any;

b) the names, birthdates and birthplaces, and last known addresses, for each of the applicant's biological parents, the tribal membership of each, if any, and any tribal or Bureau of Indian Affairs census number, and the basis for Santa Clara Pueblo membership of the parent who is a member of the Pueblo;

c) the names, addresses, birthdates and birthplaces of the applicant's biological siblings, and the tribal membership of each, if any;

d) if the applicant is married, the name, address, birthdate and birthplace and tribal membership, if any, of his or her spouse, and the same information as to any children of the applicant (whether or not the applicant is married);

e) whether the applicant has ever resided within the exterior boundaries of the Pueblo's grant or reservation, and if so the dates of such residence, the extent to which the applicant speaks and understands the Tewa language, the extent to which the applicant has previously participated in traditional and community activities of the Pueblo, and whether the applicant has ever disregarded or disobeyed a decision or directive of the Tribal Council;

f) whether the applicant is currently, or has ever been, enrolled in any other Indian tribe, and if yes as to either, the basis for such enrollment, the circumstances of the applicant's disenrollment if applicable, whether the applicant has ever been excluded from another Indian tribe, and if the applicant is currently enrolled a statement that the applicant would disenroll from the other tribe as a condition of becoming a member of Santa Clara Pueblo; and

g) the applicant's reason for wanting to become enrolled as a member of the Pueblo.

Each application shall be accompanied by a certified copy of the applicant's birth certificate, and any other documentation required by OVSE showing the person's parentage, the tribal membership of either parent, and any other documentation bearing on the matters set forth in the application; and the applicant shall at the time of filing the application pay a fee, in an amount set from time to time by the Tribal Council, reasonably estimated to cover the costs of processing the application and to pay for all required background investigations.

2. An application for membership in the Pueblo for a person who is under the age of 18 may be submitted to OVSE by the biological parent who is a member of the Pueblo, and in such case those questions that are inapplicable due to the applicant's age shall be marked "N/A."

3. An applicant with minor biological children may apply for membership on behalf of the minor children by submitting completed applications for the children with the applicant's application. The Tribal Council will consider such applications as a package, and any action taken on the adult applicant's application will likewise apply to the applicant's biological children.
4. An applicant who can trace his lineage directly back to an enrolled member of the Pueblo, but who is excluded from membership because a member of each generation from the enrolled member to the applicant was excluded from membership in the Pueblo by virtue of the [now repealed] 1939 membership law (in that a female parent who was a member of the Pueblo had married outside of the Pueblo), or was excluded from membership by virtue of the so-called [now repealed] unwritten law (in that a male parent, a member of the Pueblo, had fathered a child with a non-member out of wedlock), may seek to establish membership by submitting membership applications for the member of each intervening generation who could have become an enrolled member but for the 1939 membership law or the unwritten law, beginning with the member of the earliest such generation. If such person is deceased, the applicant may submit an application for posthumous admission to membership on behalf of the deceased person, unless that person was enrolled in another Indian tribe at the time of his or her death, in which case posthumous membership will not be considered (unless the parent has been posthumously disenrolled from the other tribe). If the Tribal Council approves that application, the applicant may then submit an application for the member of the next generation, and so on, until one of the applicant's parents has been enrolled as a member of the Pueblo, at which time the applicant may submit an application for his or her membership.
5. OVSE shall undertake to investigate the accuracy of the information set forth in the application, and may conduct, directly or through the Police Department or by contract with a private investigative service, a criminal background check as to any applicant of the age of 18 or older who has not resided at the Pueblo for the five years preceding the filing of the application. At the conclusion of its investigation, OVSE shall prepare a report to the Tribal Council summarizing the key facts relative to the application, to which shall be attached the application and any documents submitted by the applicant and/or obtained by OVSE. The report shall note with particularity any facts determined by OVSE by apparently authentic documentation that appear to conflict with information supplied by the applicant. The report, with attachments, shall be submitted to the Office of the Governor, who shall prepare complete copies thereof and distribute them to the members of the Tribal Council.
6. The Tribal Council, once all members have had an adequate opportunity to review the report, application and attachments, shall determine by majority vote whether the applicant should be admitted to conditional membership in the Pueblo. The Tribal Council may, in the Council's discretion, require that a living adult applicant, and any children included with that person's application, or the applicant and his or her living parents in the case of a minor applicant, or a lineal descendant of a deceased applicant,

appear before the Council for an interview before the Tribal Council takes action on the application. The Tribal Council need not give any reason for its decision, but it is the intention of the Council that persons who reside in and have become part of the cultural community of the Pueblo, and who have not engaged in serious criminal activity or misrepresented any material facts on their applications, should ordinarily receive some preference in favor of their applications, and that persons who have any serious criminal history or who have misrepresented any material facts in connection with their applications should ordinarily not be considered for membership.

7. No application for membership in the Pueblo may be considered where the applicant is a person who was formerly enrolled in the Pueblo, but who voluntarily disenrolled and whose disenrollment was approved by the Tribal Council.

B. The decision of the Tribal Council shall be noted in an appropriate space on the application form, which shall be returned to OVSE. OVSE will promptly notify the applicant of the action. The Tribal Council's decision shall be final and non-reviewable by any court.

C. Except in the case of an applicant who is deceased, initial Tribal Council approval of an application for membership shall confer conditional membership on the applicant, in accordance with the following:

1. The term of conditional membership for an adult shall be determined by the Tribal Council, but shall not be longer than two years from the date of the Tribal Council action. The period of conditional membership for a minor shall last at least until the minor reaches age 18, but shall be a minimum of two years.
2. During the period of conditional membership, the conditional member shall not be entitled to hold any land assignment (except in the case of an applicant who was previously considered to be a member of the Pueblo, and received an assignment during such period, but was removed from the Register by a determination by the Tribal Council that the person had been mistakenly enrolled), or to hold any elected position within the tribal government, or to vote in tribal elections, or to share in any distributions of tribal assets; but such person shall be entitled to receive health care, educational services and social services through any governmental programs intended to serve tribal members, and shall further be entitled to hunt, fish and gather natural materials from tribal lands in accordance with Pueblo law; but provided that the Tribal Council may impose other limitations on the rights of a conditional member, in its discretion.
3. After the conclusion of the period of conditional membership, the conditional member may seek full membership in the Pueblo, by submitting a letter making such request to the Office of the Governor. The Governor shall schedule a time at which the conditional member will meet with the Tribal Council for an interview, and shall request OVSE to supply an updated report concerning the conditional member before such interview, which report shall be distributed to the members of the Tribal Council.

4. Following the interview, the Tribal Council may decide to admit the conditional member to full membership, or to extend the period of conditional membership by a period of up to two years, after which the conditional member may again request full membership (but only one such extension of conditional membership shall be granted), or to deny the request, in which case the conditional member shall relinquish any and all rights and privileges of membership and shall be considered a non-member of the Pueblo, with no right to reapply for membership.
5. A conditional member who is also a member of another Indian tribe must disenroll from that tribe before such person can become a full member of the Pueblo.
6. The Tribal Council's decision shall be final and non-reviewable by any court.

D . OVSE shall maintain complete files on all applications for membership in the Pueblo, and shall maintain the official Register, which shall be updated as persons are approved for conditional or full membership, and as enrolled members become deceased. All of the records of OVSE shall be considered confidential, and may be disclosed only to the Governor and members of the Tribal Council for bona fide governmental purposes of the Pueblo. The provisions of Section 27.14 of the Santa Clara Pueblo Tribal Code (2006 Comp.) shall apply fully to violations of this provision, except that OVSE may report to any person making a request as to the membership status of any person, based on the information in its files, but otherwise it shall not give out any information except as set forth herein.

Enacted by Res. No. 2014-82, Dec. 18, 2014; approved by Sec'y Feb. 19, 2015; amended by Res. No. 2025-093, Nov. 14, 2025.