



NCA 16-170

CLASSIFICATION: #7. CITIZENSHIP/CENSUS

A LAW OF THE MUSCOGEE (CREEK) NATION AMENDING MCNCA TITLE 7, CHAPTER 4, § 4-104, ENTITLED "Applications" TO INCLUDE LIMITED USE OF SUPPORTING DOCUMENTS FOR INDIVIDUALS UNABLE TO OBTAIN A BIRTH CERTIFICATE

Be it enacted by the National Council of the Muscogee (Creek) Nation:

SECTION ONE. AMENDMENT. This amendment shall be codified in Title 7, Chapter 4, of the Code of Laws of the Muscogee (Creek) Nation; provided that for purposes of codification said amendment and its inclusion in pocket parts of the Code of Laws of the Muscogee (Creek) Nation, the Attorney General is hereby authorized: (1) to approve any changes related to the manner in which sections, articles, chapters and sub-chapters are designated consistent with the format in the Code of Laws published in 2010 by West Publishing Company; (2) to include footnoted references to the legislative history in said pocket parts to the Code of Laws and (3) to note in said pocket parts any editorial correction of minor clerical or grammatical errors in the following amendment, without further National Council approval:

SECTION TWO. AMENDMENT. MCNCA Title 7, § 4-104.D, is hereby amended to read as follows:

§ 4-104. Applications

D. Documentation. Applications for enrollment must be supported by original state-certified full photocopies, if the applicant was born prior to 1940 and provides a letter from vital records in the state of birth that no delayed birth certificate is able to be issued then supporting documentation can be accepted in place of the birth certificate only through Board approval, by state-certified vault copies or, in the case of applicants born abroad, by federal archival copies of birth certificates and other official records showing date of birth and names of parents, and shall be subject to the following additional requirements if applicable:

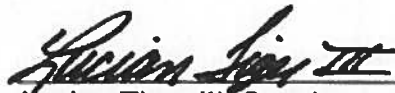
1. If the father or mother is known by another name, the applicant must bring in a document or documents showing both names, including the following: state birth certificates; certificate of degree of Indian blood; court-recorded probate or heirship papers; or an affidavit stating that the person was known by both names to the affiant, supported with

- some other record, such as a baptismal certificate showing the names of the parents and the birthdate.
2. Applications based on paternal ~~descendance~~ descendants from the 1906 rolls for a person born out of wedlock, whose birth certificate does not reflect his father's identity, must be supported by a notarized acknowledgment of paternity by the father or documented by a court order or other official finding as to the father's identity.
 3. If no delayed birth certificate is able to be issued then supporting documentation to be accepted in place of the birth certificate must include: determination of heirs; death and heirship for both father and mother; social security numident; or court-recorded probate.

SECTION THREE. EFFECTIVE DATE. This Act shall become effective immediately upon proper approval and execution in accordance with the requirements of the Muscogee (Creek) Nation Constitution.

ENACTED by the Muscogee (Creek) National Council on this 29th day of October, 2016.

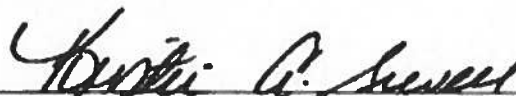
IN WITNESS WHEREOF, the Speaker of the Muscogee (Creek) National Council has hereto attached his signature.



Lucian Tiger III, Speaker
National Council
Muscogee (Creek) Nation

CERTIFICATION

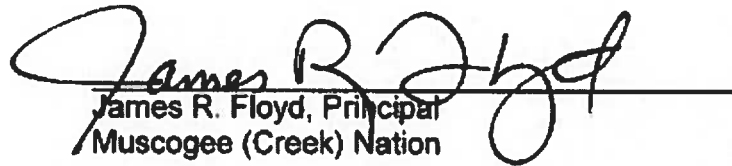
I, the undersigned, certify that the foregoing is a true extract from the minutes of the Muscogee (Creek) National Council comprised of Sixteen members with Fourteen members attending this meeting on the 29th day of October, 2016 and that the above is in conformity with the provisions therein adopted by a vote of 13 in favor, 0 against, and that said Law has not been rescinded or amended in any way and the above is the signature of the Speaker of the National Council.



Kristie A. Sewell, Recording Secretary
Muscogee (Creek) National Council

APPROVAL

I, the Principal Chief of the Muscogee (Creek) Nation, hereby affix my signature on this 3rd day of November, 2016 to the above Law, NCA 16-170 authorizing it to become a Law under Article VI., Section VI., of the Constitution of the Muscogee (Creek) Nation.


James R. Floyd, Principal
Muscogee (Creek) Nation

