Enrollment Analysis Report for the EBCI

Note: This is the entire "Enrollment Analysis Report for the Eastern Band of Cherokee Indians" as submitted to Tribal Council by the Falmouth Institute on Tuesday, Oct. 13.

EXECUTIVE SUMMARY

Falmouth Institute (FI) and Automated Election Services (AES) were retained to perform a comprehensive Enrollment Audit (Audit) of the Eastern Band of Cherokee Indians (EBCI/Tribe).

This audit was commissioned by the Tribe to determine the condition, status, completeness and accuracy of the enrollment records of the Tribe. The intent of the project was to provide a quantitative and qualitative analysis of the records to allow the Tribe to make decisions and strategic plans for the future of the enrollment and membership process, based on current tangible data. Custodial responsibility and preservation of these documents played a critical role in the origination of the group and will become even more important to the future generations of the Tribe as it seeks to protect and maintain its sovereignty and its historical and cultural past.

This was a significant undertaking and was designed and executed within strict guidelines and methodologies. Below is an overview of the major tasks associated with the Audit.

Quantitative Analysis – During this phase we analyzed all existing enrollment data and related information and imported it into a customized database. This relational database helped to facilitate the process of analyzing and verifying, where possible, membership eligibility, blood quantum calculation, genealogy and tribal membership identification.

Qualitative Analysis – The Qualitative Analysis involved the actual review of every individual membership record. We inspected over 18,000 individual files for completeness and accuracy according to the enrollment eligibility requirements in effect at the time of enrollment. Enrollment documents from each individual file were scanned and indexed into T.E.A.M.S. Once all files were reviewed and scanned into the database, the database file data was analyzed to identify existing and missing documentation and then compared with the Enrollment Qualification Date Matrix to determine whether or not that individual file contained evidence and documentation that met the legal requirements for enrollment at the time of enrollment.

The results of the Quantitative and Qualitative Analyses are detailed in an Audit Analysis and Exception Report. It is important to note that the Quantitative and Qualitative Analyses we conducted were based solely on the information contained in each enrollment file. The purpose of this analysis was to determine if the documentary evidence in each file satisfy the requirements of the Tribe. Our goal was not to determine if someone was/is eligible for enrollment or not, but rather to determine if the documents in each file support their enrollment status. If an enrollment file was missing the proper documentation to support enrollment, that file was flagged and included on the Audit Exception Report. This does not mean that an individual does not qualify for membership. It simply means that the individual's file lacks the proper documentation and requires further evidence to verify eligibility. The Audit Analysis and Exception Report identifies all of those individual files that for one reason or another contained an issue preventing resolution or verification of that individual's enrollment status, such as lacking an acceptable birth certificate or containing an incorrect blood quantum calculation.

The Tribe must now determine how to handle these exceptions to resolve their enrollment status. It is the opinion of the Audit team that extensive due process should be undertaken for the records in question to ensure all options have been exhausted prior to taking any action that would adversely or otherwise affect the enrollment status of any member.

Enrollment Process Analysis – In the course of conducting the analysis of the enrollment records we reviewed the enrollment process and its evolution throughout the years. We have provided our observations and recommendations for improving the effectiveness of enrollment management and administration.

All of the above tasks took place on-site in the enrollment office with independence and confidentiality as the guiding principles in the conduct of our day-to-day activities.

This Enrollment Analysis Report contains our analysis of the enrollment records and processes and lays out our recommendations for reconciling the exceptions discovered during the Audit. It also details how the Tribe can ensure the enrollment process continues to evolve to best meet the needs of the Eastern Band of Cherokee Indians now and for future generations.

PROJECT NARRATIVE

The project narrative serves to place into context the issues and scenarios that are often uncovered in an enrollment analysis project like this. Our experience working with tribal organizations has shown that most tribes face similar issues and challenges when managing the enrollment process, regardless of the size, scope and complexity of the tribal organization. While each tribe is unique in many different ways, there are commonalities and similarities across the spectrum when examining the enrollment function.

In general, a tribe's need for analysis of membership data is typically the result of several factors, not the least of which is a lack of understanding of the history of the enrollment process and its development. A tribe must have a thorough understanding of the process, not only as it exists today, but as it has evolved over the life of the organization. Unfortunately, many times this examination process begins at a point in the history of the group where much historical information has been lost. It is critical that one of the primary results of this type of project is a renewed dedication by the tribe to the development of and adherence to strict file and records management policies and procedures. This alone will serve to minimize the need for such reviews in the future and will help to instill faith in the tribal membership that the integrity of the fundamental basis of the group, its membership, is intact and valid. An analysis such as this does not attempt to fix blame or identify scapegoats for inconsistent enrollment data. Instead, it is designed to identify any inefficiencies and inconsistencies and identify potential solutions for their resolution.

It is also very common that as the government and the tribe as an entity develops, the perception of the enrollment process and the need to assign it a high priority as a primary governmental function becomes more imperative. The need for sufficient allocation of resources to address the security of the documents, the accuracy of the files and the need for adequate staffing to manage the assets becomes paramount to successful membership management. Lacking such attention and resources often results in the enrollment department only being capable of performing the very basics of "keeping the list." It is very rare when it is discovered that the individuals managing the information do not do so diligently and to the best of their abilities, with the resources they had at their disposal.

There typically comes a point in the evolution of any tribal organization when the "Membership Roll" of the tribe is developed. The Roll becomes the chief operating document of the group and is assumed to present, in its simplest form, the current membership status of all enrolled tribal members. As information is gathered and stored, the Roll is assumed to be continuously updated based on verified information that is readily accessible in the files. Unfortunately, many times information on the Roll is updated without proper verification and documentation. Sometimes changes are made directly to the Roll itself, without any supporting documentation being added to the files. It can also be common practice for corrections or alterations to be made to individual records without the proper research to determine the effect such a change would have on all other related records. This is called the "downstream effect." Management of the downstream effect is a critical management task since it would be rare that a change in a member's core data would not affect others that are biologically related. Properly managing and documenting the cascade effect that such a core data change could create is often considered to be too labor intensive to undertake, resulting in a single file being revised while other related files remained untouched. The result is chronic inconsistencies in the data that is available in the hard copy files. These "corrections" are typically made with little or no thought as to what would constitute acceptable supporting documentation. Copies that bore no certification or indication of authenticity are often accepted and processed.

The application of computer technology to the enrollment process has caused a further deterioration in many organizations' efforts to aggressively manage and maintain the paper "source documents" and audit trail that will always be the key to verification of enrollment. Enrollment departments are encouraged to rely heavily on the capabilities of their data processing systems to maintain their files. Unfortunately, this same reliance on computer technology and data management often leads enrollment professionals away from the key ingredient in the enrollment management process. Leaning heavily on "what the computer says" does nothing to encourage the effective management, maintenance and preservation of the most critical backup to the entire enrollment process, the supporting documents. There must always be supporting documentation that is authentic and verifiable in the individual files so that data manipulation or data corruption does not provide or perpetuate erroneous enrollment information. It is also a rarity for the enrollment department's computer data management system to precisely reflect the true contents of the files, since the data entered into the system initially was rarely audited data. It was usually the result of a conversion of some form of existing digital data.

Most enrollment departments were developed under a model designed and utilized by the Bureau of Indian Affairs utilizing the clerical records management methods applied to its other accounting and record keeping responsibilities. These methods had no far reaching vision of the need for original enrollment records to act as the permanent foundation for the eternal existence of each tribal organization. There was no standardization of filing methods for example or recognition of the need for document preservation. There was no planning for disaster recovery or off site storage of critical information and unfortunately, no standardization of record content and no individual record status monitoring. In many cases, the Bureau was the initial custodian of the records, so this management method was used for many years before the tribe gained custody of their own records. Once custody of those records was transferred, the new custodians were encouraged to manage the records and run the enrollment process just as the previous owner had.

As a matter of daily operations, enrollment files tend to become resources for the completion or analysis of other files and are often "defoliated" when the contents of the file are removed to complete the examination of another file or to provide information to or for another member and then never returned. In-office copies are created without authentication or official designation and placed in files, creating informational conflict with existing documents in a file or without clarification as to why they are pertinent to the record.

Often, enrollment department employees are required to make subjective determinations regarding the profile the file appears to present.

It is also very common for actions taken regarding individual files to be inadequately documented internally for reference in the file. Enrollment Committee or Tribal Council meeting minutes when a record is discussed or acted upon and then not included or at least referenced in the file along with meeting dates and actions taken, is an example of a common informational hole in the data.

In the world of perfect record keeping, each file folder would be a standalone resource, containing all necessary information to support the current membership status of the individual referenced. The reality of the typical enrollment file is that it rarely meets this standard.

This audit and analysis has not proven Eastern Cherokee's enrollment files to be an exception from any of the challenges described above.

The management and maintenance of enrollment records is the equivalent of trying to hit a moving target. Enrollment management and staff are tasked with continually responding to on-demand requests for information from tribal administration and tribal government programs. They must maintain regular office hours and conduct a customer satisfaction driven membership service program that provides information, documentation, historical data, identification and records retention services to unscheduled walk-in clients. Often it is easy to lose sight of the fundamental responsibility to insure that all information provided for membership purposes is verified, certified and secured for protection of the membership rights of the people of the tribe. This is not a commentary on the actions of the current enrollment staff. Instead it is an observation of the accumulated effects of nearly a century's worth of inconsistent enrollment management and process application.

FINDINGS

Taking the items in the previous section into consideration, our team began the process of analyzing the enrollment records and related processes of the Tribe to determine the current state of the Tribe's membership function.

The enrollment analysis addressed records accumulated and stored for the better part of a century. During this time, administration, enrollment regulations, enrollment processes, record keeping methods, management strategies and overall office operation methods changed many times. Locations of files, filing methods and file management styles have been adopted, changed, discarded and revised as the tribal government and its departments have grown and evolved, sometimes to the benefit of the information's integrity, sometimes to its detriment. Given these facts, it should come as no surprise that a certain amount of information that would normally be expected to reside in a file may in fact not be there at all. It should also be expected that some inconsistencies in existing information would be discovered. Such an analysis will always produce many more questions than are answered. This case is no different. The continued success of the project now depends on the will of the Tribe to pursue the answers to those questions.

The general observations listed below summarize the most critical items that our team uncovered in the course of the analysis.

RECORD QUALITY BAKER ROLL

Upon review of the files in cabinets designated as the Baker Roll files, it was discovered that the files contained very little information on each member and that the files, as recognized by the Enrollment department staff, were not a reliable source of information.

As stated in progress reports throughout the project, the Baker Roll itself is an extremely fragile document. It has not been stored securely or protected from aging and paper contamination. The first 10-15 pages are in extremely poor condition and aging damage and paper fiber fraying has resulted in significant loss of image quality.

The original Baker Roll documents were reviewed individually by the team using delicate document handling procedures, non-invasive review techniques and protective latex shield gloves for each document.

There are 3,146 names on the Baker Roll of which 1,924 individuals were not required to fill out an enrollment application. The remaining 1,222 names that are identified as "Contested" were required to fill out an enrollment application form. The applications for these "Contested" members were not available to the Audit team. EBCI staff was informed by the Department of the Interior that those applications are stored in cardboard boxes in the archives in Washington, D.C. Although the word "Contested" appears in the remarks section of those 1,222 names on the Baker Roll, all 3,146 names appearing on the Baker Roll were (and are) considered enrolled members of the Tribe.

The condition of the Baker Roll document(s) itself can only be described as poor and deteriorating rapidly. Significant attention should be applied immediately.

ENROLLMENT RECORDS

At the beginning of the project, the team conducted several on-site evaluation and preparation visits. A site map and record identification survey was conducted. A records management log and tracking system was developed and implemented.

Once these tasks were completed, the team began the records review process and survey. On a cabinet by cabinet basis, each and every record was reviewed, a bar code tracking label affixed to the folder and its contents digitally scanned and indexed in the computer tracking system.

The team processed more than 18,000 file folders, containing more than 115,000 documents that were reviewed, scanned and indexed.

On average, the overall quality of the documents contained in the files could be described as GOOD, but many older records are showing the signs of age and being stored in an unregulated environment. File storage and management methods could be significantly improved.

RECORD SECURITY BAKER ROLL

The Baker Roll is considered the foundation of the membership of the Tribe. It is the basis from which all membership decisions arise. As such, its security, storage and preservation should be a priority in securing this critical data for future generations. The Baker Roll currently resides on top of a file cabinet in the Enrollment File Room with no protection or security. No efforts have been made to restore the document, its damaged pages or to insure that the pages remain in sequential order or do not become separated from the body of the document. The Tribe should give immediate attention to securing this invaluable document.

ENROLLMENT RECORDS

Enrollment files are currently stored in the File Room contained within the Enrollment department. Files are maintained in fireproof file cabinets arranged within the storage room. Prior to the commencement of the project, the File Room was secured by proximity reader access control and key lock as backup. At the request of the Audit team and with concurrence from the Tribe, a proximity key lock system was installed on the door of the office dedicated to the project with access restricted to authorized team key holders. Also installed as requested by the Audit team was video surveillance and monitoring of the project work area.

A monitored and secured door with access control was also installed between the Enrollment department waiting area and the main administrative area prior to commencement of the project.

Prior to the start of the project, no file tracking log or file tracking system was in use to manage record inventory. The team implemented and used a manual tracking system to record the removal and replacement of files that it reviewed during the project. It is unknown if the Enrollment staff participated in the use of the tracking system. The data compilation system used to create the project database had no connection to any networking

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system or outside data transfer system, including telephone connection, fax modem, cabled or wireless Internet connection.

None of these security systems or protocols was in place prior to the start of the project. Lacking these basic security measures should be a major concern regarding record security. Though the files are kept in a relatively secure location, the fire protection of those documents remains a questionable item. The storage area itself is covered by the sprinkler system installed throughout the build¬ing, but as one might expect, water and paper documents do not mix well. Even though fire and smoke damage might be mitigated by fire proof cabinets and sprinkler systems, chances are very good that many, if not all records, would be extensively damaged in the event of a fire.

RECORD ACCURACY AND COMPLETENESS
BAKER ROLL

The information contained in the Baker Roll is assumed to be the complete and accurate benchmark data from which genealogy, blood degree and membership eligibility is to be calculated. During the review and entry phase of the project certain Baker Roll related inconsistencies were discovered. Though the Baker Roll information is considered unimpeachable, there are a significant number of inconsistencies between the information found in the Baker Roll and the corresponding record information in the Enrollment depart¬ment's database. Most critically, a number of members indicated to be Baker Roll enrollees show a differing blood degree on the roll than in the Enrollment department database.

ENROLLMENT RECORDS

Accuracy of the data contained within the Enrollment files can only be judged in the light of the informa¬tion's ability to project a clear picture of the membership status of each individual tribal member. Using this criteria as the basis to judge data accuracy resulted in a significant number of records appearing to be incomplete in content. Furthermore, it was not uncommon for the existing documentation to be incomplete as to form, quantity and/or content. Typical issues found were:
• No Birth Certificate in the file
• Multiple Birth Certificates in the file
• Incomplete Birth Certificates
• Birth Certificates with obvious alterations
• Birth Certificates lacking Parental Identification
• Questionable Birth Record Information
• No Social Security Number indicated in the documentation
• Variations in indicated names without any name change or correction documentation
• Multiple spellings of names within the same file
• Application forms missing (fully or partially)
• Application forms containing blank pages
• Application forms unsigned
• Application forms undated
• Multiple Application forms on file
• Enrollment Committee Action Forms without dates
• Multiple Enrollment Committee Action forms with differing dates
• Enrollment Committee Action Forms without clear indication of action taken
• Missing Genealogy Charts
• Documents not Date and Time stamped
• Erroneous and Duplicated Roll numbers entered on application
• Discrepancies between Roll #s shown on applications and Enrollment Notification letters

The absence of any previous record inventory management or tracking system to adequately report the number of files that should exist, as well as the filing methods utilized that separated different file categories, make it impossible to determine if there are any files physically missing from what should be the actual record inventory. The only reconciliation method available was a comparison between the record count of the project database and the database system utilized by the Enrollment department.

RECORD MANAGEMENT POLICIES
AND PROCEDURES BAKER ROLL

There is not currently, nor does there ever appear to have been, a policy or management directive in place that provides for the security, restoration, preservation or protection of the Baker Roll document. This omis¬sion is a serious threat to the one original source document critical to the enrollment process and what is also a significant historical artifact.

ENROLLMENT RECORDS

During the course of the project, it was clear that historically there have not been adequate records manage¬ment policies or procedures in place to protect the integrity of the Enrollment records and the information that they contain. This is not a recent development, but merely the continuation and accumulation of past practices. It is not unusual for governmental entities to fail to recognize the significance of these records and therefore fail to treat them as the valuable asset that they are. The information contained in these files is not only invaluable, it is irreplaceable.

In conjunction with the above observations, it is unclear as to what policies and procedures exist to protect the confidentiality of individual records, particularly those regarding confidential adoptions and custodial issues. There is also no clear and consistent method or process to identify files containing adoption infor¬mation.

STATISTICAL DATA FINDINGS

There are a significant number of enrollment records currently lacking critical information needed for verification of eligibility. This information is summarized below. It is important to again reiterate that the records currently in question do not represent a list of all individuals deemed not eligible for enrollment. These are the records that are unable to be verified because of missing information or because the Tribe now needs to make a determination concerning acceptable parameters for providing evidentiary proof of eligibility. In general, here is a snapshot of the most significant pressing issues discovered during our analysis of more than 18,000 enrollment records.
• There are discrepancies between Baker Roll blood quantums and the blood quantums indicated in the Enrollment department database.
• There are significant discrepancies between the blood quantum findings of the project team and the blood quantums provided

from the Enrollment department database.
• There are a significant number of records that reflect blood quantum adjustments without any sup¬porting documentation.
• There are a significant number of records lacking any birth certificate or birth record. This makes further analysis of the record impossible.
• There are 287 files of deceased members lacking any birth certificate or birth record. This makes further analysis of the record impossible.
• There are a significant number of records that lack application and/or enrollment dates, making place¬ment of the record in the enrollment regulation matrix impossible.
• There is a discrepancy between the number of records identified by the project team as Baker Roll members and the number of Baker Roll records identified in the Enrollment department database.
• There are a number of records that indicate relinquishment of membership, but do not include any type of request for relinquishment from the member.
• There are a significant number of records missing Enrollment applications completely.
• There are a number of records that contain multiple applications, but no documentation as to which application was the basis for enrollment.
• There are a significant number of records containing no Enrollment Committee Action forms.
• There are a significant number of records containing incomplete or unclear Enrollment Committee Action forms.
• There are a number of records that do not contain evidence indicating a direct connection to a member on the Baker Roll.
• The actions of the Enrollment Committee, including any formal report of the meeting held regarding the record, are not included in any records.
• There are a significant number of records lacking documentation reflecting name changes and other member status revisions.

OPINION

As the findings and data support, the Enrollment records of the Tribe contain significant gaps in lineal ge¬nealogy links. Regardless of member claims that they were "enrolled through" some individual other than their parent, it is only possible to identify direct lineage to the Baker Roll through the biological rela¬tion¬ship between an individual and his/her parent(s). If the analysis of this relationship does not confirm the descendancy, that individual was not duly enrolled according to the enrollment regulations of the Tribe.

It should be the responsibility of the member to provide whatever documentation is necessary to confirm these links or the member may be subject to disenrollment or other action according to enrollment ordinance guidelines. It should be noted that the fact that a member may be asked for clarifying documentation does not indicate that immediate action will be taken by the Tribe, nor does it indicate that the member is not eligible for enrollment. It merely indicates that there is a discrepancy in the file preventing verification.

There are 476 records of apparently living members that lack a birth certificate or other acceptable proof of parentage. Without this document or other acceptable corroboration, it is not possible with any degree of certainty to confirm the direct genealogy link required to prove descendancy from the Baker Roll.

It should be the responsibility of the member to provide whatever documentation is necessary to confirm these links or the member may be subject to disenrollment or other action according to enrollment ordinance guidelines. It should be noted that the fact that a member may be asked for clarifying documentation does not indicate that immediate action will be taken by the Tribe, nor does it indicate that the member is not eligible for enrollment. It merely indicates that there is a discrepancy in the file preventing verification.

There are 629 records indicating a blood degree different than the degree indicated in the Enrollment de¬partment's database record. In some cases, this difference results in the individual not meeting the blood quantum required by regulation at the time of their enrollment.

There are at least 99 records the research team identified in its Baker Roll review that show a differing blood degree from that reported in the Enrollment department database. If the information contained in the Enrollment department database information was used to calculate blood quantums going forward, significant discrepancies would result. Recalculation of these blood degrees could have consequences on the descendents claiming lineage to these individuals.

There are a significant number of records where the actions of the Enrollment Committee are nonexistent or very unclear. The role of the Committee and its methodology in processing, accepting or rejecting ap¬plications is not clearly defined. Furthermore, the actions taken by the Committee regarding individual files are not transparent or well documented. This situation is common to files across the spectrum of the enrollment process. The function of the Committee should be much more structured, with complete documentation of the meetings at which membership decisions are made, contained in each file. In many instances the action of the committee is not supported by the documentation in the file.

There are at least 300 records that appear to have no direct link back to the Baker Roll.

There are at least 1,405 actionable files identified within the scope of the study. Actionable is defined as files not containing sufficient information or files that contain information that does not support the current status of the individual.

It should be noted that the results of the actions taken on these files will likely result in changes to the status of the descendents of those individuals, the downstream effect. Those status changes will then likely result in the creation of other actionable files.

The body responsible for resolving these issues must be identified or established and empowered to perform it (Enrollment Committee?). Procedural methods for the reconciliation process should be developed in compliance with legal processes common to the Tribe. Sufficient resources must be dedicated to the task. The current Enrollment staff would not be able to shoulder this additional workload. A timeline for record reconciliation should be established driving a final completion date. A tier system of records for action can be created and submitted to the body. Action on the records in this tiered fashion will allow an orderly progression through the reconciliation process.

ACTION ITEMS AND RECOMMENDATIONS

It is imperative that the Tribe now make determinations concerning how to resolve the data discrepancies and how to im-

prove the enrollment records management system and related processes and procedures. Below are our recommendations concerning possible ways to approach the pressing issues facing the Tribe at this juncture.
Resolve Enrollment Record Data Discrepancies
Baker Roll Inconsistencies
Birth Certificates
Blood Quantums
Relinquishment Inconsistencies
Review and Resolve Records with Residency Issues
Improve Record Management, Maintenance and Preservation
Improve Inventory Tracking and Management Methods
Develop Written Policies and Procedures for Internal File Handling
Improve Fire Protection Methods
Electronic Data Storage, Maintenance and Preservation
Develop Written Standard Operating Procedures

RESOLVE ENROLLMENT RECORD DATA
DISCREPANCIES

The Enrollment process is based on the person seeking membership being able to prove through documentary evidence that they meet the membership requirements established by the Tribe. If the applicant is unable to provide such evidentiary information, they are not considered eligible for membership. If the member's record file lacks the required evidentiary information, then the member's eligibility is in question. Whether the file is incomplete due to clerical or management error, misfiling or mislabeling administratively or due to failure to provide the information on the part of the individual, it is the duty of the Tribe, to the best of its ability, to attempt to resolve the issue or issues in a timely manner. Failure to do so will result in continu¬ation of eligibility decisions being made without sufficient basis in fact.

BAKER ROLL INCONSISTENCIES

The fact that obvious inconsistencies exist in the presentation, understanding and final form of the Baker Roll constitutes a major obstacle in this analysis. Resolution of these issues must be completed before any other data resolution efforts can commence.
Possible actions include:
• Resolve the Baker Roll final count
• Resolve records identified as Baker Roll members with inconsistent enrollment dates
• Resolve blood quantum conflicts with enrollment database

BIRTH CERTIFICATES

The fact that a significant number of Enrollment records do not contain the fundamental document required to qualify for membership is a primary concern. Records that do not allow for positive iden¬tification of a biological parent or parents are incomplete and therefore were unable to be processed completely by the project team. There is also the downstream effect reflected in records associated with these records.

During the course of the project, members lacking Birth Certificates were requested to provide them and approximately 40% of those contacted responded by providing the requested documentation.

Members that were contacted regarding Birth Certificates were notified that their enrollment status could be adversely affected if the requested documentation was not provided. The governing body is faced with the task of deciding the course of action to take regarding these individuals. A strategy should be developed to address those records that still lack required documentation.
Possible actions include:
• Requesting or accepting other corroborating documentation
- Would require development of a set of acceptable alternative documents and a time frame for their submittal.
• Notification of beginning of disenrollment procedures
- Would require development of disenrollment and due process procedures. Also, the possible effect on subsequent generations must be considered since disenrollment of an individual based on these grounds would by necessity, negatively impact the enrollment status of those descended from the disenrolled individual.
• Ruling the issue irresolvable (Grandfathering)
- Repercussions of this action could be substantial, especially since a significant number of members that were asked to provide documentation, complied.

BLOOD QUANTUMS

The issue of conflicting blood quantum calculations, alleged calculation errors and accusations of impro¬priety in documentation make blood quantum and its calculations the thorniest of issues. It has led many groups to question the viability of the blood quantum requirement as membership criteria for enrollment of future generations of tribal members. The discussions regarding the feasibility of utilizing blood quantum as a membership requirement for the long term are better conducted elsewhere, however the questionable reliability of initial blood quantum calculations and the accuracy of subsequent calculations and marshalling of blood from other sources has been and will continue to be hotly contested issues. Continued adjustment and readjustment to blood degrees and allowance of fractional additions or reductions by addition of parents without biological confirmation makes actual blood quantum marginally verifiable at best.

As enrollment regulations have existed and exist today, the number of apparent blood degree inconsistencies creates one of the project's primary concerns and reportable items. In enrollment, each questionable blood degree in the overall enrollment database contributes to the downstream effect in that if an adjustment is made, all affected members should be notified and the correction and subsequent adjustments made across the entire group. This was most often not accomplished or documented correctly or completely, resulting in the obvious conflicted findings, but also contributing to the underlying inaccuracies that could only be addressed by recalculation of the entire blood quantum database.
Possible actions include:
• The blood degree conflicts identified between the Baker Roll review and the Enrollment department database should be addressed, understanding that each of those resolutions could result in a trigger¬ing of the "Downstream" effect that could require subsequent review of related records. Only after this resolution is completed and subsequent blood quantum recalculations are

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completed, could the inconsistencies in the rest of the database be addressed.

• The conflicts identified in the member database could be addressed from the Baker Roll point forward, keeping in mind that each decision could result in many subsequent conflicts being created, each re¬quiring resolution.

• Minimally, an across the board decision could be made recognizing one or the other of the two con¬flicting blood quantums as valid, creating a go forward point.

RELINQUISHMENT INCONSISTENCIES

The number of records containing relinquishment information is relatively small, but it is a definite incon¬sistency that the records contain relinquishment information, yet no request for relinquishment is contained in the file. Since relinquishment is a voluntary choice made by the member, it would be expected that a request, in some form would be made by the member. It is some time seen in reviews, that individuals were "relinquished" without their request or knowledge.

Possible actions include:

• Efforts should be made to locate, if possible, a member's request for relinquishment document for in¬clusion in his/her file.

REVIEW AND RESOLVE RECORDS WITH RESIDENCY ISSUES

The number of records affected by residency requirements is relatively small though not insignificant. The criteria for meeting the requirement existed during specific application periods. However, as noted above, many applications reflect no information as to the date that the application was completed, received or pro¬cessed by the Enrollment office. Applications reviewed in analysis of meeting this requirement contain no specific requirement for the documentation required to prove residency, other than asking for an address.

Possible actions include:

• Resolution of these records definitively would require significant research and investigation. Since no definitive list of documents acceptable as proof of residency exists currently or existed during period of residency requirement, such a list would have to be developed. Once this task had been accomplished reevaluation and research of the affected records could begin.

• Upon completion of the evaluation, records found not to be in compliance would have to be dealt with in the same manner as outlined above regarding blood quantum or birth certificate discrepancies.

IMPROVE RECORD MANAGEMENT, MAINTENANCE AND PRESERVATION

The records secured and maintained by the Enrollment department are one of the most valuable assets of the Tribe. These assets must be given a priority to secure this information for future generations. Management and staff must clearly recognize the value of these records and manage them accordingly. Strict adherence to policies and procedures developed for these purposes must be a priority going forward.

IMPROVE INVENTORY TRACKING AND MANAGEMENT METHODS

Enrollment records must be assigned the same priority as the most valuable asset of the Tribe. Keeping a current and correct inventory of assets is simply a matter of good management and business practice. It is critical that the department know exactly how many records it is responsible for, where those records are located, if any records are missing, what the contents of those records are, if any content is lacking in the record, how many records have been accessed during a given period, if the records are secure, if the digital data that represents the records is correct and if confidential information is being adequately protected. This information should be tracked in detail, not generally. If this and other important information is not readily available and continually updated, the administration risks compromising the integrity of the Tribe's most valuable assets.

Possible actions include:

• Enrollment files should be refiled numerically based on Roll Number.

• File content checklists should be developed and attached to each folder.

- Simplifies subsequent inventory analysis

• Files regarding membership should not be segregated by status.

• Implement file tracking and management system

- The Enrollment Administrator should have a monthly management report indicating:

- Total records in inventory

- Record count by enrollment status

- Total records processed by each staff member

- Records checked in and out by each staff member

- The Enrollment staff should conduct a regularly scheduled inventory of its records and their location.

DEVELOP WRITTEN POLICIES AND PROCEDURES FOR INTERNAL FILE HANDLING

In the day to day activities of the Enrollment department, it is most common for there to be no clear, writ¬ten and enforced policies and procedures regarding the actual handling of the membership files and their contents. Absent these policies and procedures it is easy for an office staff to fall into the trap of treating these source documents as if they were clerical files, not the repository of the critical information that insures the enrollment status of tribal members and applicants. Spread this process over decades and it is easy to understand how records may not be as complete, or in as perfect condition as one might expect.

Vigilance regarding the management and storage of the records is key in the ongoing effort to assure the integrity of the records. There should never be any doubt as to the methods used to handle documents. There should never be any doubt as to the location of a file or its contents. There should never be any doubt as to the validity of the documents contained within the file.

There rarely exist any policies regarding the method used to track the inventory of the records being secured in the Enrollment department. This would be the equivalent of Wal Mart not keeping track of how many televisions it has in stock. Any enterprise that tracks and secures individual items must have a current and accurate inventory of those items. It must also know the precise location of those items and their current condition. The higher the value of the items being managed the more critical the accuracy and integrity of that inventory becomes. Few things have more intrinsic value to a tribal government than the documents securing the basis for its existence, its membership information.

Strict guidelines should exist as to the accessibility of files and their contents. Clear policies should exist as to who is able to review the contents of a file. The ability of members to review their files should be a matter settled in written regulations. The ability of members to access the files of their minor children should also be contained in written regulations. It is very common for there to be no guidance from tribal regulation as to the rights of non custodial parents pertaining to the enrollment records of their children and it is rarer still for Enrollment departments to even question the custodial status of a parent inquiring as to the information in a child's file.

Few if any Enrollment offices have a policy in place as to certifying documents placed in their files as copies authenticated by the Enrollment office. Most records contain xerographic copies of original source documents completely lacking indications that they are in fact, unaltered copies of the original document submitted for consideration. Most offices have no embossment method or security marking system in place to authenticate a copy before placing into a file.

Managing the record inventory must be recognized as a priority for the government and managed effectively for the Enrollment process to be viewed as, and to in fact be, factually based and true.

Possible actions include:

• Specify methods for clerical handling of files.

- Check Out – Check In

- File security when in staff possession

- Return to file room at the close of business?

- Secure in staff members office at close of business?

- Security of file during business hours (unattended on desks)

• Develop written policies for member review of files.

- Is a member allowed to review his/her own file?

- Is a member allowed to review the file(s) of his/her child/children?

- Does the member have to be the legal guardian/custodian of a child to review their file?

- Is there a secure and monitored location for members to review their files?

- Is staff allowed to provide copies of file documents?

- Does staff certify copies issued by the office?

• Develop written policy and procedure for application acceptance.

- Applicant issued detailed receipt

- All submitted documents date and time stamped

- All submitted documents embossed with enrollment dept seal to certify originality

• Preserve the Baker Roll.

- Restore, bind and seal the original documents.

- Scan and archive a digital copy of the Baker Roll.

- Place the document in a secure, archival quality environment.

• Develop comprehensive policies and procedures regarding confidentiality of Enrollment files, particu¬larly those regarding adoption.

- Adoption files should be physically secured, accessible only by administrators

- Those allowed access should be clearly identified, preferably on the exterior of the file jacket.

IMPROVE FIRE PROTECTION METHODS

It will hardly be a revelation of this project that fire presents a significant danger to records in general and Enrollment records in particular. Enrollment records by their nature are not only critically important and certainly invaluable, but realistically irreplaceable. This is not the case with most other records stored and managed by the government. Higher than standard fire protection methods should be used to protect these records from fire, smoke, water and other environmental damage.

Possible actions include:

• Verify and improve fire resistance of construction method of file room

• Explore alternative methods of fire and smoke suppression friendly to paper documents

ELECTRONIC DATA STORAGE, MAINTENANCE AND PRESERVATION

In today's world a high level of reliance on computer technology is the norm. As we have discussed previ¬ously in this report, that may have a somewhat negative impact on the Enrollment process. However, utilized correctly, technology is a powerful tool in the administration of the process. It is not, however, acceptable for Enrollment Administrators to be blindly dependent on Information Technology departments to man¬age and secure their digital data.

Administrators must be actively involved in the development of policies and procedures regarding their specific data, its location, accessibility and security.

The Administrator must be an active participant in the development of a Disaster Recovery Plan for the Enrollment office and the implementation of tests and exercises that insure that the plan can be success¬fully executed.

The Administrator must also be kept completely informed as to the logs that track access to data, transfer of data and any copies, backups and the locations of those copies and backups.

The Administrator should be fully aware of and periodically updated as to the status of any firewall or other security schemes instituted that could affect the security of their data.

The Administrator should always have a current listing of any and all Network and Database Administra¬tors that may have or be able to authorize access to the Enrollment data.

DEVELOP WRITTEN STANDARD OPERATING PROCEDURES

Successful management of the digital data can only be achieved if the methodology for collection, security and dissemination of that data is governed by strict policies and procedures.

Possible actions include:

• Documented network connections and connection methods

• Data location on the network

• Documented security protocols for Enrollment data

• Identifying network administrators with access to Enrollment data and their privileges

• Monthly report of database transaction logs provided to Enrollment Administrator

- Access logs for administrators and users

- Backup sessions and logs

• Documented backup routine and schedule including backup data network storage location

• Documented offsite backup data storage plan

•Documented backup / restore test schedule - quarterly

• Documented disaster recovery plan

- Security of paper records

- Security of digital data

- Security of document images

- Restoration plan

-Restoration schedule