

Cherokee Nation Code Annotated

Title 11: Citizenship

Chapter 2: Policies and Procedures for Citizenship Applications

§ 14. Documentation

Cite as: 11 CNCA § 14

A. Tribal citizenship applications must be completed and submitted with required documentation.

1. Acceptable forms of documentation for establishing relationship are:

a. Birth certificates. The document must be a state-certified, full image/photocopy of the original birth record showing parentage and containing the state seal, state registrar's signature, and the state file number. In those states where state law prohibits the release of full photocopies without a court order, computer generated or transcribed records are acceptable; however, these must be verified by a sworn statement or affidavit from the Indian parent. Individuals born outside the United States must obtain a certified copy of the official State Department record showing parentage. In cases where the State Department record is not available, then the foreign agency responsible for recording vital records must be contacted for a certified copy of the birth record. The certified foreign record must be submitted with the State Department notice of no record on file and a certified translation if needed.

b. Delayed certificates of birth. This document must be state-certified, full image/photocopy showing parentage and containing the state seal, state registrar's signature, and the state file number. State regulations cover the requirements for issuing these; however, for this purpose they are not fully acceptable by themselves and must be verified by at least one supporting document.

c. Certificate of death. This record must be state-certified, full image photocopy of the original record showing parentage and containing the state seal, state registrar's signature, and state file number. Death certificates must be verified by at least one of the supporting documents for verification that must help define the relationships as claimed.

d. Certificate of Degree of Indian Blood (CDIB). This record is the formal certification document issued by the Bureau of Indian Affairs.

2. Acceptable supporting documents must be original or certified copies and are listed as follows:

a. County and district court records

- b. Hospital birth certificates
 - c. Birth certificates issued by the Bureau of Census
 - d. U.S. federal census records
 - e. Per capita payment records
 - f. Enrollment census cards
 - g. Social Security numident or extract
 - h. Affidavits. Affidavits are written declarations made under oath before a notary public, must be submitted in original form and are used for the following:
 - (1) For identification. Many people use more than one name. An affidavit may be used to certify that one person goes by two names or that two or more names actually refer to the same person.
 - (2) To clarify discrepancies in names for identification purposes. If identification is not questioned, minor variations in spelling, etc., may not require further proof.
 - (3) To help establish relationship.
 - (4) To establish paternity of children born out of wedlock. An acknowledgment of paternity must be signed by the natural father and presented to the Bureau of Vital Statistics and his name must be added to the birth record.
 - i. Other documents. Other documents that define relationship may be considered.
3. Adoption documentation:
- a. Adoption decree signed by the judge of the county where adoption proceedings occurred.
 - b. Replacement birth certificate showing new name and name(s) of the adoptive parent(s).
 - c. In some cases, the name(s) of the natural parent(s) will not appear on the adoption decree; therefore, other pertinent records will be required for verification of the Indian parent(s). These records may include the original birth certificate established at birth, hospital birth certificate containing the name(s) of the natural parent(s), or other legal documents at the discretion of the Registrar.

Historical Data

LA 6-92, eff. September 12, 1992.