Tribal Enrollment and Genetic Testing Resources

When the NCAI Policy Research Center began developing this resource guide, tribal leaders asked many questions such as, "What is genetic testing? What are good sources of information about genetic testing? What kinds of DNA testing can we use for tribal enrollment? How do we respond to individuals claiming tribal membership based on DNA tests?" The resources below were developed to provide tribal leaders with more information on genetic testing related to tribal enrollment. Tribes are sovereign nations and so will decide their own views on genetic testing. These resources provide information to assist in those decisions.

Considerations in Using Genetic Testing for Tribal Enrollment: A summary handout providing a quick overview of relevant issues and explanation of different types of genetic testing.

Tribal Enrollment and Genetic Testing: A paper providing a more in-depth discussion of the use of genetic testing in tribal enrollment, including case studies from tribes.

Tribal Sovereignty and Enrollment Determinations: A paper providing background information on different ways tribal nations determine enrollment.

References

American Society for Human Genetics. (2008). Statement on Genetic Ancestry Companies. Retrieved on June 13, 2012 from http://www.ashg.org/pdf/ASHGAncestryTestingStatement_FINAL.pdf

Cherokee One Feather, "Audit of the EBCI Enrollment", October 19, 2009. Retrieved on June 13, 2012 from http://theonefeather.com/2009/10/final-enrollment-audit-report-submitted/

Cherokee Nation. 2011. Constitution, 1976; amendments 2007, 2011. Retrieved on July 10, 2011 from http://www.cherokee.org/Docs/Org2010/2011/4/308011999-2003-CN-CONSTITUTION.pdf

Code of Federal Regulations, Title 25, Indians. Retrieved June 13, 2012 from http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&tpl=/ecfrbrowse/Title25/25tab_02.tpl

Doerfler, J. Ph.D. research and dissertation on the constitutional reform at White Earth, NAISA 2010 presentation, Anishinaabeg Today articles. Retrieved June 13. 2012 from:

http://www.whiteearth.com/data/upfiles/files/Oct32007.pdf

http://www.whiteearth.com/data/upfiles/files/April1807.pdf

http://www.whiteearth.com/data/upfiles/files/July12009.pdf

Eastern Band of Cherokee Indians, "Tribal Ordinance 277," passed June 10, 2010.

Geddes, L. (2011). "Tribal Wars: DNA Testing Divides American Indians." New Scientist 210 (2817): 8-10.

Gover, K. (2008-2009). "Genealogy as Continuity: Explaining the Growing Tribal Preference for Descent Rules in Membership Governance in the United States," *American Indian Law Review*, 2008-9.

Gover, K. (2011). *Tribal Constitutionalism: States, Tribes, and the Governance of Membership*. Oxford: Oxford University Press.

Hisa, C. Testimony before Congress. June 22, 2011. Retrieved June 13, 2012 from http://naturalresources.house.gov/UploadedFiles/HisaTestimony06.22.11.pdf

Hisa, C. Testimony before Congress. March 22, 2012. Retrieved June 15, 2012. http://www.indian.senate.gov/hearings/upload/Carlos-Hisa-testimony032212.pdf

Indian Country Today. (2011). "Bill Could Allow Ysleta del Sur Pueblo Right to Determine Member Requirements." Retrieved July 7, 2011, from http://indiancountrytodaymedianetwork.com/2011/07/02/bill-could-allow-ysleta-del-sur-pueblo-right-to-determine-member-requirements-40771.

Indian Relocation Act of 1956. Retrieved June 13, 2012 from http://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=4&ved=0CGEQFjAD&url=http%3A%2F%2Fwww.reginfo.gov%2Fpublic%2Fdo%2FDownloadDocument%3FdocumentID%3D236472%26version%3D1&ei=agfYT-bLIoGs8ATwg4zDAw&usg=AFQjCNEAsscICVfKIB8vDHRKVKpZEQUlSA

Koerner, B. I. (2005)."Blood Feud" *WIRED*. September, 2005.

Marks, J. and B. Shelton. "Genetic 'Markers' Not a Valid Test of Native Identity." Indigenous Peoples Council on Biocolonialism (IPCB), Briefing Papers. Retrieved March 10, 2012, from http://www.ipcb.org/publications/briefing_papers/files/identity.html.

Mashpee Wampanoag. "Tribal Enrollment Policy", passed 1999. Retrieved March 10, 2012 from http://mashpeewampanoagtribe.com/Enrollment%20Ordinance.pdf.

Morris, G. (2010). "Cherokee Enrollment Quandary leads to talk of DNA testing." Retrieved June 8, 2010 from, http://www.smokymountainnews.com/news/item/805-cherokee-enrollment-quandary-leads-to-talk-of-dna-testing.

Morris, G. (2010). "Tribe moves to implement DNA for new applicants to Cherokee rolls." Retrieved June 8, 2012 from, http://www.smokymountainnews.com/index.php/news/item/694.

National Human Genome Research Institute. Talking Glossary of Genetic Terms. www.genome.gov/glossary/.

"Naturalization," Migration Information. Retrieved July 27, 2011 from http://www.migrationinformation.org/Feature/display.cfm?ID=369.

Rohlfs, R. V., Fullerton, S.M. and B. S. Weir. "Familial Identification: Population Structure and Relationship Distinguishability." Retrieved on June 8, 2012, from http://www.plosgenetics.org/article/info%3Adoi%2F10.1371%2Fjournal.pgen.1002469.

Santa ClaraPueblo v. Martinez. 436 U.S. 49 (1978).

Shelton, B/and J. Marks. (2001). "Genetic Markers not a Valid Test of Native Identity," GeneWatch. Council for Responsible Genomics. Retrieved on June 8, 2012, from http://www.councilforresponsiblegenetics.org/ViewPage.aspx?pageId=163.

Shriver, M., et al. (2003). Skin pigmentation, biogeographical ancestry and admixture mapping. Human Genetics. 112(4):387-99.

Spruhan, P. (2006). "A Legal History of Blood Quantum in Federal Indian Law to 1935," South Dakota Law Review. 51(1).

Spruhan, P. (2007). "The Origins, Current Status, and Future Prospects of Blood Quantum as the Definition of Membership in the Navajo Nation." Tribal Law Journal. 8(1).

TallBear, K. (2003). "DNA, Blood, and Racializing the Tribe." Wicazo Sa Review 18(1): 81-107.

TallBear, K. and Bolnick, DA. 2004. "Native American DNA tests: what are the risks for tribes? The Native Voice December 3-17).

Tirado, M. (2011). "Hearing Held on Bill that Would Allow Ysleta del Sur Pueblo to Determine Membership Requirements. American Indian Report. Retrieved July 22, 2011, from http://www.americanindianreport.com/wordpress/2011/06/hearing-held-on-bill-that-would-allow-ysleta-del-sur-pueblo-to-determine-membership-requirements/.