

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**( Revocation of Membership of Jose P. Uriarte, Jr. from the Tohono O'odham Nation)**

**RESOLUTION NO. 04-491**

- 1   **WHEREAS,** Article IX, Section 2 (A) of the Tohono O'odham Nation Enrollment Ordinance, *All*  
2                   *members in the Nation and all rights deriving therefrom shall be lost or abandoned*  
3                   *if a person is or becomes enrolled as a member in another Indian nation, tribe,*  
4                   *community or band. Whenever the committee determines that a person who is a*  
5                   *member of the Nation or qualifies for membership in the Nation is or becomes*  
6                   *enrolled as a member of another Indian nation, tribe community or band, the*  
7                   *committee shall notify such person that he must either relinquish his membership*  
8                   *in such other Indian nation, tribe, community or band, or relinquish or lose his*  
9                   *membership in the Tohono O'odham Nation. If such person fails or refuses to*  
10                  *relinquish his membership in such other Indian nation, tribe, community or band*  
11                  *the committee shall recommend to the Council that his membership in the Nation be*  
12                  *declared lost and abandoned; and*
- 13   **WHEREAS,** the Enrollment Committee has determined that Jose P. Uriarte, Jr. , is enrolled as a  
14                  member of the Tohono O'odham Nation and is also enrolled as a member of the  
15                  Pascua Yaqui Tribe; and
- 16   **WHEREAS,** the Enrollment Committee did serve notice upon the foregoing person that they must  
17                  either relinquish membership in such other Indian nation, tribe, community or band,  
18                  or relinquish or lose membership in the Tohono O'odham Nation in accordance with  
19                  the provisions of Article IX, Section 2 (A) of the Enrollment Ordinance; and
- 20   **WHEREAS,** the foregoing person did not relinquish membership in such other Indian nation,  
21                  tribe, community or band, and the Enrollment Committee has therefore  
22                  recommended that their membership in this Nation be revoked by the Tohono  
23                  O'odham Legislative Council; and
- 24   **WHEREAS,** the Enrollment Committee did serve written notice of its recommendation upon the  
25                  foregoing person or, if a minor or incompetent, upon the parent, guardian or other  
26                  person legally authorized to act on behalf as required by Article IX, Section 2 (A) of the  
27                  Enrollment Ordinance; and
- 28   **WHEREAS,** the Tohono O'odham Legislative Council has reviewed the Enrollment Committee's  
29                  recommendation and all evidence presented, and from such evidence finds that the  
30                  foregoing person is enrolled as a member of this Nation and is also enrolled as a

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1 member of the Pascua Yaqui Tribe; and  
2 **WHEREAS, Jose P. Uriarte, Jr. was given an opportunity to relinquish membership in accordance**  
3 **to Article II, Section 3 of the Constitution of the Tohono O'odham Nation but have**  
4 **failed or refused to do so, and that the membership in the Tohono O'odham Nation**  
5 **must therefore be revoked.**  
6 **NOW, THEREFORE, BE IT RESOLVED by the Tohono O'odham Legislative Council that it does hereby**  
7 **revoke the membership in this Nation of the foregoing person and that the**  
8 **Enrollment Committee serve notice of this determination in accordance with Article**  
9 **IX, Section (A) of the Enrollment Ordinance.**  
10 **BE IT FINALLY RESOLVED that upon completion of all appeals from this determination or upon**  
11 **expiration of the time allowed for such appeals, as provided in Article IX, Section 2 (E)**  
12 **of the Enrollment Ordinance, the name of the foregoing person who failed to appeal**  
13 **or to succeed in their appeal shall be removed from the membership roll of the**  
14 **Tohono O'odham Nation.**

15 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 28<sup>TH</sup> Day**  
16 **of SEPTEMBER, 2004 at a meeting at which a quorum was present with a vote of 2,629.7 FOR; -0-**  
17 **AGAINST; -0- NOT VOTING; and [-0-] ABSENT, pursuant to the powers vested in the Council by**  
18 **Section 1 (h) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the**  
19 **Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**  
20 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**  
21 **18, 1934 (48 Stat. 984).**

22  
23 **TOHONO O'ODHAM-LEGISLATIVE COUNCIL**

24  
25 *for*   
26 **Isidro Lopez, Legislative Chairman**

27  
28 4<sup>th</sup> day of October, 2004

29  
30 **ATTEST:**

31   
32  
33 **Rosita N. Ruiz, Legislative Secretary**

34  
35 5 day of October, 2004.

36  
37  
38 **Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono**  
39 **O'odham Nation on the 06<sup>th</sup> day of October, 2004 at 9:30 o'clock,**  
40 **A.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become**  
41 **effective upon her approval or upon her failure to either approve or disapprove it within 48 hours**  
42 **of submittal.**

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TOHONO O'ODHAM LEGISLATIVE COUNCIL

*for Isidro Lopez*  
\_\_\_\_\_  
Isidro Lopez, Legislative Chairman

APPROVED

on the 7<sup>th</sup> day of October, 2004

DISAPPROVED

at 4:31 o'clock, P.M.

*Vivian Juan Saunders*  
\_\_\_\_\_  
VIVIAN JUAN SAUNDERS, CHAIRWOMAN  
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 07 day of

October, 2004, at 4:57 o'clock, P.M.

*Rosita N. Ruiz*  
\_\_\_\_\_  
Rosita N. Ruiz, Legislative Secretary

ACTION: REVOCATION OF MEMBERSHIP OF JOSE P. URIARTE, JR. FROM THE TOHONO O'ODHAM NATION

MOVED: COUNCILMAN DENNIS JOSE

SECOND: COUNCILWOMAN EVELYN JUAN

DATE: SEPTEMBER 28, 2004

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>SIF OIDAK</b> <b>192.6</b>	1. ISIDRO LOPEZ (Nicholas Jose)	96.30	X			
	2. DARLENE ANDREW (Rita Martinez)	96.30	X			
<b>SELLS</b> <b>465.6</b>	1. DENNIS E. JOSE ( )	232.80	X			
	2. EVELYN JUAN ( )	232.80	X			
<b>SCHUK TOAK</b> <b>176.1</b>	1. FRANCES B. CONDE ( )	88.05	X			
	2. PHYLLIS JUAN ( )	88.05	X			
<b>SAN XAVIER</b> <b>215.4</b>	1. FELICIA NUÑEZ (Olivia Liston-Villegas)	107.70	X			
	2. DENNIS RAMON (Eleanor Hunter)	107.70	X			
<b>SAN LUCY</b> <b>166.3</b>	1. JOHN W. LAWSON, SR. ( )	83.15	X			
	2. GLORIA RAMIREZ ( )	83.15	X			
<b>PISINEMO</b> <b>175.4</b>	1. BARBARA SALVICIO ( )	87.70	X			
	2. PATRICIA CRUZ ( )	87.70	X			
<b>HICKIWAN</b> <b>170.3</b>	1. DELMA GARCIA (Mary E. Sam)	85.15	X			
	2. SANDRA ORTEGA ( )	85.15	X			
<b>GU VO</b> <b>191.4</b>	1. RAYMOND VICTOR ( )	95.70	X			
	2. MICHAEL FLORES (Willard Manuel)	95.70	X			
<b>GU ACHI</b> <b>253.6</b>	1. TIMOTHY L. JOAQUIN (Jonas Robles)	126.80	X			
	2. JEROME JOAQUIN (Roberta Picard)	126.80	X			
<b>CHUKUT KUK</b> <b>258.9</b>	1. KENNETH WILLIAMS (Juanita Homer)	129.45	X			
	2. VERLON M. JOSE (David Garcia)	129.45	X			
<b>BABOQUIVARI</b> <b>364.1</b>	1. FRANCES MIGUEL ( Lucilda Norris-Valenzuela )	182.05	X			
	2. FRANCES G. ANTONE ( )	182.05	X			
<b>TOTAL</b>		<b>2,629.7</b>	<b>2,629.7</b>	<b>-0-</b>	<b>-0-</b>	<b>[-0-]</b>

\*\*PASSED VOTES