

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Revocation of Membership of Gerald M. Clark from the Tohono O'odham Nation)**

RESOLUTION NO. 04-492

1 **WHEREAS, Article IX, Section 2 (A) of the Tohono O'odham Nation Enrollment Ordinance**
2 **provides *membership in the Nation and all rights deriving therefrom shall be lost or***
3 ***abandoned if a person is or becomes enrolled as a member in another Indian nation,***
4 ***tribe, community or band;* and**

5 **WHEREAS, the Enrollment Committee has determined that Gerald M. Clark, is enrolled as a**
6 **member of the Tohono O'odham Nation and is also enrolled as a member of Navajo**
7 **Nation; and**

8 **WHEREAS, Gerald M. Clark was given an opportunity to relinquish membership in accordance**
9 **with Article IX, Section 2(A) of the Enrollment Ordinance, but has failed or refused to**
10 **do so; and**

11 **WHEREAS, the foregoing person did not relinquish membership with the Tohono O'odham**
12 **Nation and the Enrollment Committee therefore recommends that his/her**
13 **membership in the Tohono O'odham Nation be revoked; and**

14 **WHEREAS, the Enrollment Committee did serve written notice of its recommendation upon the**
15 **foregoing person or, if a minor or incompetent, upon the parent, guardian or other**
16 **person legally authorized to act on his or her behalf as required by Article IX, Section**
17 **2 (C) of the Enrollment Ordinance; and**

18 **WHEREAS, the Tohono O'odham Legislative Council has reviewed the Enrollment Committee's**
19 **recommendation and all evidence presented, and from such evidence finds that the**
20 **foregoing person is enrolled as a member of Tohono O'odham Nation and is also**
21 **enrolled as a member of Navajo Nation.**

22 **NOW, THEREFORE, BE IT RESOLVED by the Tohono O'odham Legislative Council that it does**
23 **hereby revoke the membership of Gerald M. Clark in the Tohono O'odham Nation**
24 **and that the Enrollment Committee serve notice of this determination to Gerald M.**
25 **Clark, in accordance with Article IX, Section 2 (D) of the Enrollment Ordinance.**

26 **BE IT FINALLY RESOLVED that upon completion of all appeals from this determination or upon**
27 **expiration of the time allowed for such appeals, as provided in Article IX, Section 2 (E)**
28 **of the Enrollment Ordinance, the name of the foregoing person who failed to appeal**
29 **or to succeed in their appeal shall be removed from the membership roll of the**
30 **Tohono O'odham Nation.**

1 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 30TH. Day
2 of SEPTEMBER, 2004 at a meeting at which a quorum was present with a vote of 1,941.6 FOR; 688.1
3 AGAINST; -0- NOT VOTING; and [-0-] ABSENT, pursuant to the powers vested in the Council by
4 Section 1 (H) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the
5 Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant
6 Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June
7 18, 1934 (48 Stat. 984).

8 TOHONO O'ODHAM LEGISLATIVE COUNCIL

9
10 for Melvin M. Sanchez
11 Isidro Lopez, Legislative Chairman
12
13 06th day of October, 2004

14
15 ATTEST:

16 Rosita N. Ruiz
17 Rosita N. Ruiz, Legislative Secretary
18
19 5 day of October, 2004.

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22 Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono
23 O'Odham Nation on the 06th day of October, 2004 at 9:31 o'clock,
24 A.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become
25 effective upon her approval or upon her failure to either approve or disapprove it within 48 hours
26 of submittal.

27 TOHONO O'ODHAM LEGISLATIVE COUNCIL

28
29 for Melvin M. Sanchez
30 Isidro Lopez, Legislative Chairman
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34 APPROVED

on the 07th day of October, 2004

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36 DISAPPROVED

at 4:32 o'clock, P.M.

37 Vivian Juan Saunders
38 VIVIAN JUAN SAUNDERS, CHAIRWOMAN
39 TOHONO O'ODHAM NATION
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44 Returned to the Legislative Secretary on the 07 day of
45 October, 2004, at 4:57 o'clock, P.M.

46 Rosita N. Ruiz
47 Rosita N. Ruiz, Legislative Secretary
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ACTION: REVOCATION OF MEMBERSHIP OF GERALD M. CLARK FROM THE TOHONO O'ODHAM NATION

MOVED: COUNCILWOMAN FRANCES MIGUEL

SECOND: COUNCILMAN JEROME JOAQUIN

DATE: SEPTEMBER 30, 2004

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 192.6	1. ISIDRO LOPEZ (Nicholas Jose)	96.30	X			
	2. DARLENE ANDREW (Rita Martinez)	96.30	X			
SELLS 465.6	1. DENNIS E. JOSE ()	232.80		X		
	2. EVELYN JUAN ()	232.80		X		
SCHUK TOAK 176.1	1. FRANCES B. CONDE ()	88.05	X			
	2. PHYLLIS JUAN ()	88.05	X			
SAN XAVIER 215.4	1. FELICIA NUÑEZ (Olivia Liston-Villegas)	107.70	X			
	2. DENNIS RAMON (Eleanor Hunter)	107.70	X			
SAN LUCY 166.3	1. JOHN W. LAWSON, SR. ()	83.15	X			
	2. GLORIA RAMIREZ ()	83.15	X			
PISINEMO 175.4	1. BARBARA SALVICIO ()	87.70	X			
	2. PATRICIA CRUZ ()	87.70	X			
HICKIWAN 170.3	1. DELMA GARCIA (Mary E. Sam)	85.15	X			
	2. SANDRA ORTEGA ()	85.15	X			
GU VO 191.4	1. RAYMOND VICTOR ()	95.70	X			
	2. MICHAEL FLORES (Willard Manuel)	95.70		X		
GU ACHI 253.6	1. TIMOTHY L. JOAQUIN (Jonas Robles)	126.80		X		
	2. JEROME JOAQUIN(Absent) (Roberta Picard) (Present)	126.80	X			
CHUKUT KUK 258.9	1. KENNETH WILLIAMS (Juanita Homer)	129.45	X			
	2. VERLON M. JOSE (David Garcia)	129.45	X			
BABOQUIVARI 364.1	1. FRANCES MIGUEL (Lucilda Norris-Valenzuela)	182.05	X			
	2. FRANCES G. ANTONE ()	182.05	X			
TOTAL		2,629.7	1,941.6	688.1	-0-	[-0-]

**PASSED VOTES