

**LEGISLATIVE ORDER OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Revocation of Membership of Christina Lopez from the Tohono O'odham Nation)**

**LEGISLATIVE ORDER NO. 16-040**

1 **WHEREAS, the Constitution of the Tohono O'odham Nation establishes criteria for**  
2 **membership in the Nation and vests the Tohono O'odham Legislative Council**  
3 **with the power to enact laws "governing the enrollment and adoption of**  
4 **members and the relinquishment and loss of membership" (Constitution,**  
5 **Article VI, Section 1(h)); and**

6 **WHEREAS, while Article II, Section 1(b) of the Constitution makes "children born to resident**  
7 **members" eligible for membership, "Non-Indian children and children of**  
8 **Indian blood of other tribes adopted by members of the Papago Tribe are not**  
9 **eligible for enrollment." (Enrollment Manual, Processing Application -**  
10 **Membership Record, 5. Eligibility of Adopted Children for Enrollment, as**  
11 **adopted by Resolution No. 137-81); and**

12 **WHEREAS, the Enrollment Committee has determined that Christina Lopez, Enrollment No.**  
13 **3261-CK-05, was invalidly enrolled as the child born to a resident member, that**  
14 **Christina Lopez actually was legally adopted and her biological parents are non-**  
15 **Indians, and that the submission of correct and complete information during**  
16 **the membership application process would have resulted in ineligibility for**  
17 **membership under Article II, Section 1(b) of the Constitution; and**

18 **WHEREAS, Article IX, Section 2(B) of the Tohono O'odham Enrollment Ordinance, 14 T.O.C.**  
19 **Chapter 1, provides in part:**

20 **Membership in the Nation and all rights deriving therefrom shall be lost**  
21 **if enrollment is based upon information which was mistaken,**  
22 **fraudulent, deceitful, deceptive, misrepresented or falsified.**  
23 **Membership shall also be lost if information is omitted that would have**  
24 **resulted in ineligibility for membership; and**

25 **WHEREAS, in accordance with Article IX, subsection 2(B)-2(D) of the Enrollment Ordinance,**  
26 **the Enrollment Committee provided Christina Lopez with written notice of its**  
27 **determination and recommendation to the Council and the opportunity to**  
28 **relinquish membership, and provided notice of the Legislative Council's**  
29 **February 4, 2016, revocation hearing by publication; and**

30 **WHEREAS, Christina Lopez has not relinquished her membership; and**

31 **WHEREAS, Christina Lopez also was provided the opportunity to present evidence, to**  
32 **appear at the revocation hearing, to be represented by legal counsel at her own**  
33 **expense, to call and question witnesses, to testify, and to give an opening**

1 statement and closing argument and otherwise to respond to the revocation;  
2 and

3 WHEREAS, the Legislative Council was provided a written summary and any records  
4 reflecting the efforts to provide Christina Lopez notice (Enrollment Ordinance,  
5 Article IX, subsection 2(E)(3)); and

6 WHEREAS, the Legislative Council has reviewed the Committee's recommendation and  
7 considered the presentations and evidence presented at the enrollment  
8 revocation hearing.

9 NOW, THEREFORE, BE IT ORDERED by the Tohono O'odham Legislative Council that, based  
10 upon the presentations and evidence presented, it determines

11 (1) That the membership of Christina Lopez is based upon information  
12 which was mistaken, fraudulent, deceitful, deceptive, misrepresented,  
13 falsified, or omitted, and the submission of correct and complete  
14 information during the membership application process would have  
15 resulted in ineligibility for membership; and

16 (2) That the membership of Christina Lopez, Enrollment No. 3261-CK-05, is  
17 revoked and lost.

18 BE IT FURTHER ORDERED that the Legislative Council secretary shall serve notice of the  
19 Council's determination in accordance with Article IX, Section 2(E)(5) of the  
20 Enrollment Ordinance.

21 BE IT FINALLY ORDERED that upon completion of an unsuccessful appeal from this  
22 determination or upon expiration of the time allowed for such as appeal as  
23 provided in Article IX, Section 2(F) of the Enrollment Ordinance, Christina  
24 Lopez, Enrollment No. 3261-CK-05, shall be removed from the membership roll  
25 of the Tohono O'odham Nation.

26 The foregoing Order was passed by the Tohono O'odham Legislative Council on the 04<sup>TH</sup> day of  
27 FEBRUARY, 2016 at a meeting at which a quorum was present with a vote of 3,021,4 FOR; -0-  
28 AGAINST; -0- NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by  
29 Article VI, Section 1(h) of the Constitution of the Tohono O'odham Nation, adopted by the  
30 Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant  
31 Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of  
32 June 18, 1934 (48 Stat.984).

33  
34  
35 TOHONO O'ODHAM LEGISLATIVE COUNCIL

36  
37  
38 Timothy Joaduin, Legislative Chairman

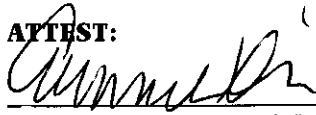
39  
40 5 day of February, 2016

**LEGISLATIVE ORDER NO. 16-040**

**(Revocation of Membership of Christina Lopez from the Tohono O'odham Nation)**

**Page 3 of 3**

**ATTEST:**



**Evonne Wilson, Legislative Secretary**

4 day of January, 2016

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52

## ACTION: REVOCATION OF MEMBERSHIP OF CHRISTINA LOPEZ FROM THE TOHONO O'ODHAM NATION

DATE: FEBRUARY 04, 2016

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 367.2	1. FRANCES MIGUEL ( <i>Absent</i> ) (Roberta E. Harvey) ( <i>Present</i> )	183.60	X			X
	2. VERNON J. SMITH ( <i>Absent</i> ) (Gloria Zazueta) ( <i>Present</i> )	183.60	X			
CHUKUT KUK 332.1	1. ETHEL GARCIA (Marlakay Henry)	166.05	X			
	2. BILLMAN LOPEZ ( <i>Absent</i> ) (Patricia Vicenti) ( <i>Present</i> )	166.05	X			
GU ACHI 265.0	1. TIMOTHY L. JOAQUIN ( <i>Absent</i> ) (Louis L. Johnson) ( <i>Present</i> )	132.50	X			
	2. LORETTA LEWIS ( )	132.50	X			
GU VO 250.6	1. GRACE MANUEL (Dallas Lewis)	125.30	X			
	2. PAMELA ANGHILL (Jeffery Antone, Sr.)	125.30	X			
HICKIWAN 205.8	1. LOUIS R. LOPEZ (Shirley Molina)	102.90	X			
	2. SANDRA ORTEGA ( )	102.90	X			X
PISINEMO 219.9	1. CHESTER ANTONE ( )	109.95	X			
	2. MONICA K. MORGAN ( )	109.95	X			
SAN LUCY 226.5	1. DIANA MANUEL ( )	113.25	X			
	2. JANA MONTANA (Gloria Ramirez)	113.25	X			
SAN XAVIER 228.6	1. DANIEL L.A. PRESTON III ( )	114.30	X			
	2. RACHEAL VILSON-STONER (Olivia Villegas-Liston)	114.30	X			
SCHUK TOAK 180.6	1. ANTHONY J. FRANCISCO JR. ( )	90.30	X			
	2. QUINTIN C. LOPEZ (John Fendenheim)	90.30	X			
SELLS 513.5	1. ARTHUR WILSON (Beverly Rivas)	256.75	X			
	2. BARBARA HAVIER ( )	256.75	X			
SIF OIDAK 231.6	1. LUCINDA ALLEN (Nicholas Jose)	115.80	X			
	2. MARY LOPEZ ( )	115.80	X			
<b>TOTAL</b>		<b>3,021.4</b>	<b>3,021.4</b>	<b>-0-</b>	<b>-0-</b>	<b>[02]</b>