

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Rejecting Membership Application of Manuel Ernesto Duarte Lopez)**

RESOLUTION NO. 16-041

1 **WHEREAS, the Constitution of the Tohono O'odham Nation provides that the membership**
2 **of the Nation shall consist of Indians appearing on official census rolls**
3 **(comprising the Nation's Base Roll) and "children born to resident members,"**
4 **and vests the Legislative Council with the power to enact laws and ordinances**
5 **governing the enrollment and adoption of members (Constitution, Article II,**
6 **Section 1(a) and (b); Article VI, Section 1(h)); and**

7 **WHEREAS, on June 26, 2015, Manuel Ernesto Duarte Lopez filed an application for**
8 **enrollment as a member of the Tohono O'odham Nation; and**

9 **WHEREAS, the Enrollment Committee has reviewed the application and has recommended**
10 **that the application be rejected because the applicant failed to establish his**
11 **eligibility for membership under the Constitution of the Tohono O'odham**
12 **Nation, Article II - Membership, Section 1(b); and**

13 **WHEREAS, the Enrollment Committee served written notice of its written recommendation**
14 **to reject the application and of the rejection hearing upon the applicant as**
15 **required by Section 2, Article VI of the Enrollment Ordinance, 14 T.O.C. Chapter**
16 **1; and**

17 **WHEREAS, the Tohono O'odham Legislative Council has reviewed the enrollment**
18 **application, Enrollment Committee's recommendation, and evidence presented**
19 **during its February 4, 2016 hearing and finds that the applicant has failed to**
20 **establish the foregoing membership requirement.**

21 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council finds that**
22 **the application of Manuel Ernesto Duarte Lopez, DOB 03/16/1951 for enrollment**
23 **as a member of the Tohono O'odham Nation fails to establish his eligibility for**
24 **membership under Article II, Section 1(b) of the Constitution of the Tohono**
25 **O'odham Nation and the application is rejected.**

26 **BE IT FINALLY RESOLVED that the Tohono O'odham Legislative Council chairperson shall**
27 **provide written notice to the applicant of the Legislative Council's final**
28 **determination and the Enrollment Committee shall serve notice of the final**

determination in accordance with Section 2, Article VIII of the Enrollment Ordinance.

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 04TH day of FEBRUARY, 2016 at a meeting at which a quorum was present with a vote of 3,021.4 FOR; -0- AGAINST; -0- NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council by Article VI, Section 1(h) of the Constitution of the Tohono O'odham Nation, adopted by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat.984).

TOHONO O'ODHAM LEGISLATIVE COUNCIL



Timothy Joaquin, Legislative Chairman

5 day of February, 2016

ATTEST:



Evonne Wilson, Legislative Secretary

4 day of February, 2016

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 5 day of February, 2016 at 9:29 o'clock, A .m., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective upon his approval or upon his failure to either approve or disapprove it within 48 hours of submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL




Timothy Joaquin, Legislative Chairman

APPROVED

on the 5 day of February, 2016

DISAPPROVED

at 9:49 o'clock, A .m.



EDWARD D. MANUEL, CHAIRMAN
TOHONO O'ODHAM NATION

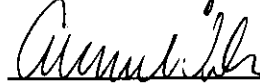
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Returned to the Legislative Secretary on the 5 day of

January, 2016, at 12:10 o'clock, p.m.



Evonne Wilson, Legislative Secretary

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ACTION: REJECTING MEMBERSHIP APPLICATION OF MANUEL ERNESTO DUARTE LOPEZ

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			
	2. VERNON J. SMITH (<i>Absent</i>) (Gloria Zazueta) (<i>Present</i>)	183.60	X			
CHUKUT KUK 332.1	1. ETHEL GARCIA (Marlakay K. 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			
PISINEMO 219.9	1. CHESTER ANTONE ()	109.95	X			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			
TOTAL		3,021.4	3,021.4	-0-	-0-	[01]