



United States Department of the Interior
BUREAU OF INDIAN AFFAIRS
WESTERN REGIONAL OFFICE
2600 North Central Avenue, 4th Floor
Phoenix, Arizona 85004



IN REPLY REFER TO:
Tribal Government Services MS 360

JUL 24 2015

Honorable Peter Yucupicio
Chairman, Pascua Yaqui Tribe
7474 S. Camino de Oeste
Tucson, Arizona 85757

Dear Chairman Yucupicio:

This is regarding the Secretarial Election conducted on July 14, 2015, which was authorized by letter dated April 8, 2015, pursuant to Title 25 of the Code of Federal Regulations, Part 81, for the adoption/rejection of the proposed amendments A, B, and C to the Constitution of the Pascua Yaqui Tribe. No contests were filed regarding the results of the election.

As evidenced by the Certificate of Results of Election, signed by the Election Board Members on July 17, 2014, the proposed **amendment A** to the Constitution, by a vote of 360 “for” and 114 “against”, and 0 cast ballots found to be spoiled or mutilated, was adopted by the qualified voters of the Tribe.

As evidenced by the Certificate of Results of Election, signed by the Election Board Members on July 17, 2015, the proposed **amendment B** to the Constitution, by a vote of 312 “for” and 161 “against”, and 0 cast ballots found to be spoiled or mutilated, was adopted by the qualified voters of the Tribe.

As evidenced by the Certificate of Results of Election, signed by the Election Board Members on July 17, 2015, the proposed **amendment C** to the Constitution, by a vote of 301 “for” and 173 “against”, and 0 cast ballots found to be spoiled or mutilated, was adopted by the qualified voters of the Tribe.

Therefore, by my signature on the enclosed Certificates of Approval, the proposed amendments A, B and C are hereby approved pursuant to the authority delegated to me by the Secretary of the Interior. Proposed amendment A is now designated as Amendment No. I to the Constitution of the Pascua Yaqui Tribe. Proposed amendment B is now designated as Amendment No. II and proposed amendment C is now designated as Amendment No. III.

Enclosed with this letter are the documents that were submitted regarding the Secretarial Election for your files. Should you have any questions please contact Ms. Sharlot Johnson, Regional Tribal Operations Officer, or Ms. Sophia Torres, Tribal Operations Specialist, for assistance at (602) 379-6786.

Sincerely,


Regional Director

Enclosures

cc: Superintendent, Salt River Agency
Chief, Division of Tribal Government

CERTIFICATE OF APPROVAL

Amendment A, to the Constitution of the Pascua Yaqui Tribe which was adopted by the qualified voters of the Tribe on July 14, 2015, is hereby approved and designated as Amendment I pursuant to the authority delegated to the Secretary of the Interior by the Act of June 18, 1934 (48 Stat. 984), as amended and re-delegated to me under 3 IAM. This approval is effective as of this date; provided that nothing in this approval shall be construed as authorizing any action under this document that would be contrary to Federal Law.



Regional Director

7/24/15
Date

CONSTITUTION
OF THE
PASCUA YAQUI TRIBE

AMENDMENT I

Article I – Bill of Rights, Section 1. Consistent with the provisions of this constitution, the Pascua Yaqui Tribe in exercising its powers of self-government shall not:

Shall be amended to read as follows:

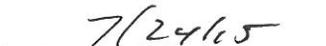
- g. Require excessive bail, impose excessive fines, or inflict cruel and unusual punishment.

CERTIFICATE OF APPROVAL

Amendment B, to the Constitution of the Pascua Yaqui Tribe which was adopted by the qualified voters of the Tribe on July 14, 2015, is hereby approved and designated as Amendment II pursuant to the authority delegated to the Secretary of the Interior by the Act of June 18, 1934 (48 Stat. 984), as amended and re-delegated to me under 3 IAM. This approval is effective as of this date; provided that nothing in this approval shall be construed as authorizing any action under this document that would be contrary to Federal Law.



Regional Director



Date

CONSTITUTION
OF THE
PASCUA YAQUI TRIBE

AMENDMENT II

Article III – Membership in the Pascua Yaqui Tribe

Section 1. The membership of the Pascua Yaqui Tribe shall consist of the following:

Shall be amended to read as follows:

- a. whose name appears on the original base roll dated September 18, 1980 or applied for and was approved for membership under the Open Enrollment Act of 1994 Public Law 103-357; or
- b. who is a direct lineal descendant or a collateral Yaqui blood relation to a member listed in 1(a) of this article; and
- c. who possesses at least one-quarter (1/4) degree Pascua Yaqui Indian blood; and
- d. who is a United State Citizen; and
- e. applies for and is granted membership under the laws of the Pascua Yaqui Tribe and consistent with sections 1(a) and 1(b) of this Article.

Section 2. The Pascua Yaqui Tribal Council shall have the power to enact ordinances governing future membership and loss of membership.

CERTIFICATE OF APPROVAL

Amendment C, to the Constitution of the Pascua Yaqui Tribe which was adopted by the qualified voters of the Tribe on July 14, 2015, is hereby approved and designated as Amendment III pursuant to the authority delegated to the Secretary of the Interior by the Act of June 18, 1934 (48 Stat. 984), as amended and re-delegated to me under 3 IAM. This approval is effective as of this date; provided that nothing in this approval shall be construed as authorizing any action under this document that would be contrary to Federal Law.



Regional Director

7/24/15
Date

CONSTITUTION
OF THE
PASCUA YAQUI TRIBE

AMENDMENT III

Article XX – Amendments

Shall be amended to read as follows:

Amendments to this constitution may be proposed to the Election Board by a two-thirds vote of the entire Tribal Council duly elected and sworn or by petition signed by at least thirty percent (30%) of members of the Pascua Yaqui Tribe who are eligible to vote. Upon receipt of the Tribal Council's resolution or the petition, a special election will be called and conducted in accordance with the Election Ordinance.

Any proposed amendment shall be submitted to a referendum vote of the eligible members of the Tribe, and shall be effective if ratified by a majority vote of eligible members of the Tribe voting in an election called for that purpose under the supervision of the Election Board.