

EXHIBIT A

PASCUA YAQUI TRIBE

RESOLUTION NO. C02-33-15



RESOLUTION OF THE PASCUA YAQUI TRIBE OF ARIZONA APPROVING THE SUBMISSION OF AMENDMENTS TO THE CONSTITUTION OF THE PASCUA YAQUI TRIBE TO THE SECRETARY OF THE INTERIOR AND TO REQUEST THAT THE SECRETARY CALL A SECRETARIAL ELECTION FOR APPROVAL BY A MAJORITY OF THE REGISTERED VOTERS OF THE TRIBE.

WHEREAS, the Constitution of the Pascua Yaqui Tribe, (the "Constitution") was adopted on January 26, 1988 and approved by the Secretary of Interior on February 8, 1988 pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984); and

WHEREAS, there is a need to update and improve the existing Constitution to strengthen tribal sovereignty and self-determination and to expand tribal jurisdiction, commensurate with existing law; and

WHEREAS, the proposed amendments to the Constitution were developed through the Tribal Council's consultation and comment with the Yaqui Communities, and with the advice of legal counsel; and

WHEREAS, the Tribe's recognition statute, Public Law 95-375 (25 U.S.C. 1300f et seq.) limited tribal enrollment eligibility in a manner that prevented a number of people with Yaqui ancestry from applying for membership to the tribe; and

WHEREAS, the United States Congress amended Section 3 of Public Law 95-375 (25 U.S.C. 1300f-2) eliminating all membership criteria established in the tribe's recognition Act and substituting it with a simple requirement that "membership of the Pascua Yaqui Tribe shall consist of any United States citizen of Pascua Yaqui blood enrolled by the tribe;" and

WHEREAS, Congress recently recognized and affirmed the powers of tribal self-government, including the inherent power of tribes to exercise special domestic violence criminal jurisdiction over all persons; and

WHEREAS, in 2010, Congress passed the Tribal Law and Order Act (TLOA), which allows tribes greater sentencing authority. The TLOA amended the Indian Civil Rights Act (ICRA) to allow tribes to impose greater sentences for criminal offenses as long as the sentencing tribe provides certain rights to the criminal defendant; and

WHEREAS, in the Violence Against Women Reauthorization Act of 2013 (VAWA), Congress restored part of tribal criminal jurisdiction over non-Indian offenders by amending the ICRA to recognize the inherent power of tribes to exercise "special domestic violence jurisdiction" over non-Indian offenders who commit certain acts of domestic violence on the

reservation; and

WHEREAS, Article VI, Section 1 (o) of the Constitution of the Pascua Yaqui Tribe (the “Constitution”) provides that the Tribal Council shall have the power to develop and adopt ordinances, resolutions, rules and regulations to protect and promote the peace, health, safety and general welfare of the Pascua Yaqui people and to facilitate the conduct and operation of the tribal government; and

WHEREAS, Article XX of the Constitution, establishes that the Tribal Council retains the power to propose amendments to the Constitution; and

WHEREAS, Article XX, additionally provides that the Constitution can be amended by a majority vote of the qualified voters of the Tribe voting at an election called for that purpose by the Secretary of the Interior, provided, that at least thirty (30) percent of those entitled to vote shall vote in such election; but no amendment shall become effective until approved by the Secretary of the Interior; and

WHEREAS, Article XX, further requires that it shall be the duty of the Secretary of the Interior to call and hold an election on any proposed amendment to this Constitution at the request of a majority of Tribal Council; and

WHEREAS, the Tribal Council has determined that it would be in the best interest of the Tribe to submit amendments to the Secretary of the Interior and to request that the Secretary call a special election; and

WHEREAS, the proposed amendments to the Constitution are set forth in the attachment to this Resolution.

NOW THEREFORE, BE IT RESOLVED BY THE TRIBAL COUNCIL OF THE PASCUA YAQUI TRIBE that the Tribal Council hereby (1) approves the submission of the 2015 Constitutional Amendments to the Secretary of the Interior, (2) approves the request to the Secretary of the Interior to call a special election (3) authorizes the Chairman to sign all documents and take any necessary and proper action to execute, implement, and enforce this Resolution, submit the 2015 Constitutional Amendments, and request the Secretary of the Interior to call a special election.

CERTIFICATION

THE FOREGOING RESOLUTION was on **February 25, 2015** duly adopted by a vote of **Eleven** in favor, **Zero** opposed, and **Zero** abstained, by the Tribal Council of the Pascua Yaqui Tribe pursuant to authority vested in it by Article VI, Sections 1(o) and Article XX of the Constitution of the Pascua Yaqui Tribe, as adopted on January 26, 1988 and approved by the Secretary of Interior on February 8, 1988 pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).



CHAIRMAN OF THE PASCUA YAQUI TRIBE



SECRETARY OF THE PASCUA YAQUI TRIBE

