

EXHIBIT B

PASCUA YAQUI TRIBE



RESOLUTION NO. C02-35-15

RESOLUTION OF THE PASCUA YAQUI TRIBE APPROVING THE SUBMISSION OF A REQUEST TO THE BUREAU OF INDIAN AFFAIRS REQUESTING THAT THE SECRETARY OR HIS AGENT WAIVE REGULATIONS TO PERMIT POLLING PLACES AT OFF-RESERVATION TRADITIONAL YAQUI COMMUNITIES AND PERMIT ABSENTEE VOTING .

- 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 for approval by a majority of the registered voters of the tribe; and
- WHEREAS,** 25 CFR Sec. 81.9 (b), titled "Voting Districts," authorizes the Secretarial election board to designate polling places, except where a reservation exists, no voting district may be established beyond its boundaries; and
- WHEREAS,** the vast majority of Yaqui people reside off Pascua Yaqui Reservation land.
- WHEREAS,** ARTICLE XIV of the Pascua Yaqui Constitution encourages the greatest possible participation in the affairs of the Pascua Yaqui Tribe on the part of all local Yaqui communities recognized as such by the Pascua Yaqui Tribal Council; and
- WHEREAS,** the Pascua Yaqui Tribal Council has recognized the importance of Absentee Voting by enacting 2 PYTC § 6-2-240; and

WHEREAS, the Tribal Council recognizes Old Pascua, Barrio Libre, Yoem Pueblo (Marana), Coolidge, Guadalupe, High Town (Chandler), and Penjamo (Scottsdale) as traditional local Yaqui communities; and

WHEREAS, the Tribal Council has recognized the importance of traditional local Yaqui community participation by ensuring representation on the Election Board from New Pascua, (the Reservation) Old Pascua, Marana, Guadalupe, and Barrio Libre; and

WHEREAS, the Pascua Yaqui people value highly and appreciate deeply, the right and privilege to vote. See 2 PYTC § 6-2-10; and

WHEREAS, Section 1.2 of Title 25 C.F.R. provides that the Secretary retains the power to waive or make exceptions to his regulations as found in chapter I of title 25 C.F.R. in all cases where permitted by law and the Secretary finds that such waiver or exception is in the best interest of the Indians; and

WHEREAS, to maximize Yaqui voter participation, the Tribe requests that the Secretary, or his agent, take such action as may be necessary, to include waiving the restrictions of 25 C.F.R. 81.9(b) and 25 C.F.R. 81.6(b)(2), to permit voting at designated off-Reservation local Yaqui communities on the day of the Secretarial election and permit Absentee voting consistent with Pascua Yaqui regulations.

NOW THEREFORE, BE IT RESOLVED BY THE TRIBAL COUNCIL OF THE PASCUA YAQUI TRIBE that the Tribal Council hereby (1) approves a waiver of the provisions of 25 C.F.R. 81.9 (b) and 25 C.F.R. 81.6(b) by the Secretary or his agent for purposes of the Constitutional election contemplated by this resolution in order that as many of the electorate as possible will be able to vote in said election; (2) approves the submission of a letter requesting that the Secretary, or his agent, take such action as may be necessary to include waiving the restrictions of 25 C.F.R. 81.9 (b) and 25 C.F.R. 81.6(b); and (3) authorizes the Chairman

to sign all documents and take any necessary and proper action to execute, implement, and enforce this Resolution, to request that the Secretary permit voting at designated off-Reservation local Yaqui communities on the day of the Secretarial election and permit Absentee voting consistent with Pascua Yaqui regulations.

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, Section 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

