RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Authorizing Federal Agencies Responsible for Administering Federally Sponsored Loan Programs to Access Mortgaged Properties on Nation's Lands and Affirming Importance of Maintaining and Enforcing Program Requirements)

RESOLUTION NO. 15-213

WHEREAS, the Nation's Constitution vests the Tohono O'odham Legislative Council with the authority to "promote, protect and provide for public health, peace, morals, education and general welfare of the Tohono O'odham Nation and its members" (Constitution, Article VI, Section 1(c)(2)); and

WHEREAS, the United States Department of Housing and Urban Development ("HUD"), the United States Department of Veterans Affairs ("VA"), and the United States Department of Agriculture ("USDA") all provide certain federally sponsored home loan programs, which encourage homeownership in Indian Country; and

WHEREAS, federally sponsored loan programs offer a wide variety of benefits such as low, fixed interest rates, and reduced down payments, all of which would benefit the Nation's members and housing construction within the exterior boundaries of the Nation; and

WHEREAS, while tribal nations are encouraged to participate in these beneficial programs, certain tribal laws and procedures must first be in place before tribal members may access such programs for on-reservation housing; and

WHEREAS, through the years, the Legislative Council Housing Committee has worked collaboratively with HUD's Southwest Office of Native American Programs to identify Nation's laws, which satisfy the requirements for federally sponsored loan programs such as foreclosure and eviction procedures, first lien priority, and jurisdiction over tribal trust land; and

WHEREAS, the Housing Committee has also identified tribal legislation necessary to participate in federally sponsored loan programs, including the Residential Land Lease law and certain amendments to the Nation's Housing Code; and

WHEREAS, it is in the Nation's best interest to authorize federal agencies responsible for administering federally sponsored loan programs to access mortgaged properties on Nation's lands; and

WHEREAS, the Housing Committee recommends that the Legislative Council affirm to the federal agencies offering federally sponsored home loan programs, which include HUD, VA, and USDA, that the Nation understands the importance of maintaining and enforcing program requirements, including but not limited to foreclosure and eviction, and residential land leasing provisions.
NOW, THEREFORE, BE IT RESOLVED by the Tohono O'odham Legislative Council that subject to Legislative Council approval of Section 184 related legislation, it authorizes HUD, VA, and USDA, the federal agencies responsible for administering federally sponsored loan programs, to access mortgaged properties on Nation's lands; provided that the federal agencies shall give reasonable notice to the Nation and respective district prior to entering Nation's lands.

BE IT FINALLY RESOLVED by the Tohono O'odham Legislative Council that it affirms to the federal agencies offering federally sponsored home loan programs, which include HUD, VA, and USDA, that the Nation understands the importance of maintaining and enforcing program requirements, including but not limited to foreclosure and eviction, and residential land leasing provisions.

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 27th day of May, 2015 at a meeting at which a quorum was present with a vote of 2,430.05 FOR; 496.85 AGAINST; 0- NOT VOTING; and 01 ABSENT, pursuant to the powers vested in the Council by Article VI, Section 1(c)(2) 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

3 day of June, 2015

ATTEST:

Evonne Wilso, Legislative Secretary

2 day of June, 2015

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 3 day of June, 2015 at 9:00 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.
RESOLUTION NO. 15-213
(Authorizing Federal Agencies Responsible for Administering Federally Sponsored Loan Programs to Access Mortgaged Properties on Nation’s Lands and Affirming Importance of Maintaining and Enforcing Program Requirements)
Page 3 of 3

TOHONO O’ODHAM LEGISLATIVE COUNCIL

[Signature]
Timothy Jojim, Legislative Chairman

[ ] APPROVED on the ___ day of ____________, 2015
[ ] DISAPPROVED

at __:__ o’clock, ___ m.

[Signature]
Ned Norris, Jr., CHAIRMAN
TOHONO O’ODHAM NATION

Returned to the Legislative Secretary on the ___ day of ____________, 2015, at __:__ o’clock, ___ m.

[Signature]
Evonne Wilson, Legislative Secretary
RESOLUTION NO. 15-213

ACTION: AUTHORIZING FEDERAL AGENCIES RESPONSIBLE FOR ADMINISTERING FEDERALLY SPONSORED LOAN PROGRAMS TO ACCESS MORTGAGED PROPERTIES ON NATION’S LANDS AND AFFIRMING IMPORTANCE OF MAINTAINING AND ENFORCING PROGRAM REQUIREMENTS

MOVED: COUNCILMAN BILLMAN LOPEZ SECOND: COUNCILWOMAN BARBARA HAVIER

DATE: MAY 27, 2015

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TOTAL | 2,926.9 | 2,430.05 | 496.85 | -0- | [01]