

TITLE 1 – GENERAL PROVISIONS

CHAPTER 3 – GOVERNMENT COMMENT GUIDELINES

Legislative History: Title 1 Tohono O’odham Code Chapter 3, Government Comment Guidelines, was enacted April 12, 2011 by Resolution No. 11-148.

TITLE 1 - GENERAL PROVISIONS
CHAPTER 3 - GOVERNMENT COMMENT GUIDELINES

TABLE OF CONTENTS

Section 3101	Scope.....	1
Section 3102	Comments on Laws and Rules.....	1
Section 3103	Comments and Positions on Actions	1
Section 3104	Delegation of Authority to Comment	1
Section 3105	Exception	2

TITLE 1 – GENERAL PROVISIONS

CHAPTER 3 – GOVERNMENT COMMENT GUIDELINES

Section 3101 Scope

These guidelines govern written comments submitted on the Nation’s behalf to federal, state, and local governments on proposed rules, regulations, and laws (collectively, “laws and rules”) or on actions or proposed actions (collectively, “actions”) that may affect the Nation.

Section 3102 Comments on Laws and Rules

The Nation’s written comments to federal, state, and local governments on laws and rules proposed by those entities must be approved by the Tohono O’odham Legislative Council.

Section 3103 Comments and Positions on Actions

(A) Legislative Council approval is not required for an Executive Branch department to submit written comments on a federal, state, or local government action if the comments are

- (1) within the Executive Branch department’s area of expertise; and
- (2) limited to providing editorial, grammatical or factual corrections, or providing new technical or factual information relevant to the government action.

(B) Comments submitted pursuant to paragraph (A) shall be copied to the Legislative Council.

(C) The Nation’s written comments that take a position supporting or opposing a federal, state, or local government action require Legislative Council approval.

Section 3104 Delegation of Authority to Comment

These guidelines do not prevent duly authorized Nation’s delegations, officials, or employees from submitting on the Nation’s behalf written comments on federal, state, and local government laws and rules, actions, or comments which assert a position when such authority is expressly delegated to or vested in such delegations or individuals.

Section 3105 Exception

If the Nation's Chairperson determines that there is not sufficient time to obtain Legislative Council approval as required by Section 3102 or subsection 3103(B), the Chairperson shall obtain the concurrence of the Legislative Council committee with primary oversight over the subject matter of the comments before submitting them.