

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Authorizing the U.S. Department of the Interior, Office of the Special Trustee to Distribute
the Tohono O'odham Nation's Funds from Proceeds of Labor Account Ending in 5701 Held
at the U.S. Department of the Interior, Office of the Special Trustee)

RESOLUTION NO. 18-242

1 **WHEREAS,** the Constitution of the Tohono O'odham Nation ("Nation") vests the Tohono
2 O'odham Legislative Council with legislative and fiscal powers, including the
3 power "to manage any funds within the exclusive control of the Tohono O'odham
4 Nation, including proceeds derived from lands and resources of the Tohono
5 O'odham Nation and to appropriate these funds for the benefit of the nation and
6 its members" provided that "[a]ll expenditures of these funds shall be pursuant
7 to appropriations or budgets" authorized by resolution or ordinance
8 (Constitution, Article VI, Section 1(d)(2)); and

9 **WHEREAS,** the U.S. Department of the Interior, Office of the Special Trustee reported
10 available funds for distribution in the amount of \$4,093,332.04 as of March 31,
11 2018, in the Nation's Proceeds of Labor account ending in 5701, which is held at
12 the U.S. Department of the Interior, Office of the Special Trustee; and

13 **WHEREAS,** Proceeds of Labor account ending in 5701 holds mining royalties from ASARCO
14 copper mining activities; and

15 **WHEREAS,** on April 20, 2018, the Tohono O'odham Nation's treasurer presented to the
16 Tohono O'odham Nation Investment Committee regarding the available funds,
17 and the Investment Committee supports the drawing down of these funds; and

18 **WHEREAS,** the Office of the Treasurer also presented to the Investment Committee the Equal
19 apportionment amounts in accordance with the District Mining Royalty
20 Allocation schedule dated April 20, 2018, which is incorporated by this reference;
21 and

22 **WHEREAS,** the Tohono O'odham Nation's treasurer recommends that these funds be
23 deposited into the Tohono O'odham Nation's Bank of America General Checking
24 Account for distribution to all districts by equal distribution; and

25 **WHEREAS,** the district allocation is to be apportioned to separate district accounts and made
26 available for expenditure subject to budgets approved in accordance with Article
27 VI, Section 1(d)(2) and Article IX, Section 7 of the Nation's Constitution.

28 **NOW, THEREFORE, BE IT RESOLVED** by the Tohono O'odham Legislative Council that it
29 authorizes the U.S. Department of the Interior, Office of the Special Trustee to
30 distribute the mining royalty funds in the amount of \$4,093,332.04 from the
31 Proceeds of Labor account ending in 5701, which is held at the U.S. Department of
32 the Interior, Office of the Special Trustee.
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RESOLUTION NO. 18-242

(Authorizing the U.S. Department of the Interior, Office of the Special Trustee to Distribute the Tohono O'odham Nation's Funds from Proceeds of Labor Account Ending in 5701 Held at the U.S. Department of the Interior, Office of the Special Trustee)

Page 2 of 3

1 **BE IT FURTHER RESOLVED** by the Tohono O'odham Legislative Council that it approves and
2 authorizes the apportionment of mining royalties to the districts by equal
3 distribution in accordance with the District Mining Royalty Allocation schedule.

4 **BE IT FINALLY RESOLVED** that the Tohono O'odham Legislative Council authorizes the release
5 of the applicable wire instructions for the Tohono O'odham Nation's Bank of
6 America General Checking Account to the U.S. Department of the Interior, Office
7 of the Special Trustee to facilitate the distribution of the funds.

8 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 11TH
9 day of JULY, 2018 at a meeting at which a quorum was present with a vote of 3,084.6 FOR; -0-
10 AGAINST; -0- NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by
11 Article VI, Section 1 (d)(2) of the Constitution of the Tohono O'odham Nation, adopted by the
12 Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant
13 Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June
14 18, 1934 (48 Stat.984).

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16 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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21 Timothy Joaquin, Legislative Chairman

22 17 day of July, 2018

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25 **ATTEST:**

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28 Evonne Wilson, Legislative Secretary

29 17 day of July, 2018

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32 Said Resolution was submitted for approval to the office of the Chairman of the Tohono
33 O'odham Nation on the 17 day of July, 2018 at 4:56 o'clock, P .m.,
34 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become
35 effective upon his approval or upon his failure to either approve or disapprove it within 48
36 hours of submittal.

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38 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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42 Timothy Joaquin, Legislative Chairman

RESOLUTION NO. 18-242

(Authorizing the U.S. Department of the Interior, Office of the Special Trustee to Distribute the Tohono O'odham Nation's Funds from Proceeds of Labor Account Ending in 5701 Held at the U.S. Department of the Interior, Office of the Special Trustee)

Page 3 of 3

APPROVED

on the 18 day of July, 2018

DISAPPROVED

at 3:27 o'clock, P.m.


EDWARD D. MANUEL, CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 19 day of

July, 2018, at 4:34 o'clock, P.m.


Evonne Wilson, Legislative Secretary

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ACTION: AUTHORIZING THE U.S. DEPARTMENT OF THE INTERIOR, OFFICE OF THE SPECIAL TRUSTEE TO DISTRIBUTE THE TOHONO O'ODHAM NATION'S FUNDS FROM PROCEEDS OF LABOR ACCOUNT ENDING IN 5701 HELD AT THE U.S. DEPARTMENT OF THE INTERIOR, OFFICE OF THE SPECIAL TRUSTEE

Moved: VICE CHAIRMAN QUINTIN C. LOPEZ

Second: COUNCILWOMAN JANICE FELIX

DATE: JULY 11, 2018

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 235.8	1. MARY LOPEZ ()	117.9	X			
	2. LUCINDA ALLEN (Yolonda Garcia)	117.9	X			
SELLS 527.2	1. ARTHUR WILSON (Evelyn Juan Manuel)	263.6	X			X
	2. ADRIANNE TILLER (Idaleen Reyes)	263.6	X			
SCHUK TOAK 185.7	1. ANTHONY J. FRANCISCO JR. (Teresa F. Donahue)	92.85	X			
	2. QUINTIN C. LOPEZ (Agnes V. Joaquin)	92.85	X			
SAN XAVIER 232.3	1. DANIEL L.A. PRESTON III (Felicia Nunez)	116.15	X			
	2. JANICE FELIX ()	116.15	X			
SAN LUCY 231.1	1. JANA MONTANA (Diana Manuel)	115.55	X			
	2. GLORIA RAMIREZ (Lorraine Eiler)	115.55	X			
PISINEMO 225.9	1. CHESTER ANTONE (Caroline D. Garcia)	112.95	X			
	2. MONICA K. MORGAN ()	112.95	X			
HICKIWAN 209.0	1. LOUIS R. LOPEZ (Shirley Molina)	104.5	X			
	2. SANDRA D. ORTEGA ()	104.5	X			X
GU VO 256.9	1. GRACE MANUEL ()	128.45	X			
	2. DALLAS LEWIS (Nacho Flores)	128.45	X			
GU ACHI 270.9	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	135.45	X			
	2. LORETTA LEWIS (Victoria Hobbs)	135.45	X			
CHUKUT KUK 337.7	1. BILLMAN LOPEZ (Patricia Antone)	168.85	X			
	2. VIVIAN JUAN-SAUNDERS (Juanita Homer)	168.85	X			
BABOQUIVARI 372.1	1. FRANCES MIGUEL (Roberta E. Harvey)	186.05	X			
	2. LEANDER MASE (Francine Schooling)	186.05	X			
TOTAL		3,084.6	3,084.6	-0-	-0-	[02]