

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Authorizing the San Lucy District Council to enter into Indian Self-Determination and Education Assistance Act Contracts with the Secretary of Health and Human Services for Health Services to the O'odham Members of the San Lucy District)

RESOLUTION NO. 2000-369

- 1 **WHEREAS, the Legislative Council is the governing body of the Tohono O'odham Nation, a**
2 **federally-recognized Indian Tribe; and**
- 3 **WHEREAS, the Tohono O'odham Nation Constitution (1986), Article IX, Section 5, delegates to**
4 **Districts within the Nation the authority and responsibilities to govern themselves**
5 **in all matters of local concern; and**
- 6 **WHEREAS, the San Lucy District is one of eleven political subdivisions of the Tohono O'odham**
7 **Nation, and is located on the Gila Bend reservation, a non-contiguous parcel of the**
8 **Nation's reservation land approximately 120 miles northwest of Sells, Arizona, the**
9 **capital of the Nation; and**
- 10 **WHEREAS, the Indian Self-Determination and Education Assistance Act (ISDEAA; P.L. 93-638),**
11 **directs the Secretary of Health and Human Services, upon the request of a tribe, to**
12 **enter into contracts with the tribe or an appointed tribal organization of the tribe to**
13 **perform programs, services, functions and activities, including administrative**
14 **functions, of the respective Departments; and**
- 15 **WHEREAS, the Tohono O'odham Nation is served by the Tucson Area Office of the Indian Health**
16 **Service, except for the San Lucy District which is served by the Phoenix Area Office of**
17 **the Indian Health Service; and**
- 18 **WHEREAS, the San Lucy District Council, pursuant to authorization from the Legislative Council**
19 **of the Tohono O'odham Nation in Resolution No. 93-223, has entered into and**
20 **successfully operated for several years an Alcohol/Substance Abuse Prevention**
21 **Program for the benefit of the O'odham members of the San Lucy District through an**
22 **ISDEAA contract with the Phoenix Area Office of the Indian Health Service,**
23 **Department of Health and Human Services; and**
- 24 **WHEREAS, the San Lucy District Council has requested, by Resolution attached hereto as Exhibit**
25 **A, authority to explore additional contracting opportunities with the Secretary of**
26 **Health and Human Services under the ISDEAA, and, where appropriate, to enter into**
27 **other contracts to provide federally-funded health services to the O'odham members**
28 **of the San Lucy District; and**

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1 **WHEREAS, the San Lucy District's geographic distance from the large Tohono O'odham Nation**
2 **reservation, and the District's inclusion in the Phoenix Area of the Indian Health**
3 **Service make it reasonable and feasible for the San Lucy District to perform its own**
4 **health contracting operations as a tribal organization of the Tohono O'odham**
5 **Nation.**

6 **NOW, THEREFORE, BE IT RESOLVED by the Tohono O'odham Legislative Council, upon**
7 **due consideration of the San Lucy District's request and its history as a successful**
8 **ISDEAA Program Contractor, that the Chairperson of the District is authorized to**
9 **negotiate and enter into contracts with the Secretary of Health and Human Services,**
10 **including the Phoenix Area Office of the Indian Health Service, to perform available**
11 **programs, functions, services, and activities, including administrative functions, for**
12 **the benefit of the Tohono O'odham Nation members of the San Lucy District.**

13 **BE IT FURTHER RESOLVED that the authority previously granted by the Tohono**
14 **O'odham Legislative Council, through Resolution No. 93-223, authorizing the San**
15 **Lucy District to contract with the Indian Health Service, Phoenix Area Office, for the**
16 **Alcohol/Substance Abuse Prevention Program is hereby continued through this**
17 **Resolution without interruption.**

18 **BE IT FURTHER RESOLVED that the ISDEAA contracting authority granted to the San Lucy**
19 **District by this Resolution includes the authority for the District, as a tribal**
20 **organization of the Tohono O'odham Nation, to request and receive all tribal shares**
21 **applicable to the San Lucy District, including any shares identified as tribal entity**
22 **shares by the Phoenix Area Office of the Indian Health Service.**

23 **BE IT FURTHER RESOLVED that the San Lucy District shall assume all audit, financial**
24 **and administrative responsibilities associated with all ISDEAA contracts into which**
25 **it enters, holding the Nation harmless should the District fail to uphold financial,**
26 **reporting or performance requirements of any such contract.**

27 **BE IT FURTHER RESOLVED that the San Lucy District shall comply with any and all**
28 **reporting requirements regarding its ISDEAA health contract operations as the**
29 **Health and Human Services Committee of the Legislative Council may deem**
30 **appropriate.**

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1 **BE IT FINALLY RESOLVED** that this Resolution shall remain in effect until rescinded or amended
2 **by the Legislative Council of the Tohono O'odham Nation.**

3 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 09TH Day**
4 **of AUGUST, 2000 at a meeting at which a quorum was present with a vote of 2,165.5 FOR; -0-**
5 **AGAINST; -0-NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by Section**
6 **1 (f) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the Tohono**
7 **O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary -**
8 **Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48**
9 **Stat. 984).**

10 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

11 
12
13 **Dennis Ramon, Legislative Chairman**

14
15 14 day of August, 2000


16
17 **ATTEST:**

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19
20 **Julianna Saraficio, Acting Legislative Secretary**

21 09 day of August, 2000.

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24 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham**
25 **Nation on the 14 day of August, 2000 at 3:34 o'clock, P.M.,**
26 **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective**
27 **upon his approval or upon his failure to either approve or disapprove it within 48 hours of**
28 **submittal.**

29 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**


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33 **Dennis Ramon, Legislative Chairman**

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37 **APPROVED**

on the 16 day of August, 2000

38
39 **DISAPPROVED**

at 9:06 o'clock, A.M.

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41
42 
43 **EDWARD D. MANUEL, Chairman**
44 **TOHONO O'ODHAM NATION**

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Returned to the Legislative Secretary on the 14 day of
August, 20 00, at 12.15 o'clock, P.M.
Julianna Saraficio
Julianna Saraficio, Acting Legislative Secretary

ACTION: AUTHORIZING THE SAN LUCY DISTRICT COUNCIL TO ENTER INTO INDIAN SELF-DETERMINATION AND EDUCATION ASSISTANCE ACT CONTRACTS WITH THE SECRETARY OF HEALTH AND HUMAN SERVICES FOR HEALTH SERVICES TO THE O'ODHAM MEMBERS OF THE SAN LUCY DISTRICT

MOVED: COUNCILWOMAN FRANCES ANTONE

SECOND: COUNCILWOMAN EVELYN JUAN

DATE: AUGUST 09, 2000

| DISTRICT | LEGISLATIVE REPRESENTATIVES | # OF VOTES | FOR | AGAINST | NOT VOTING | ABSENT |
|-----------------------------------|---|----------------|----------------|------------|------------|-------------|
| SIF OIDAK 171.8 | 1. MARY ANN ANTONE (Darlene Andrew) | 85.9 | X | | | |
| | 2. RITA MARTINEZ (Nicholas Jose) | 85.9 | X | | | |
| SELLS 372.7 | 1. DENNIS E. JOSE () | 186.35 | X | | | |
| | 2. EVELYN JUAN () | 186.35 | X | | | |
| SCHUK TOAK 133.4 | 1. MARY FLORES () | 66.7 | X | | | |
| | 2. AMBROSE ENCINAS () | 66.7 | X | | | |
| SAN XAVIER 165.9 | 1. TONY BURRELL ** () | 82.95 | X | | | |
| | 2. DENNIS RAMON () | 82.95 | X | | | |
| BABOQIVARI 286.5 | 1. FRANCES MIGUEL () | 143.25 | X | | | |
| | 2. FRANCES G. ANTONE (Edward N. Kisto) | 143.25 | X | | | |
| GU ACHI 209.6 | 1. CAMILLUS LOPEZ (Louis Johnson) | 104.8 | X | | | |
| | 2. ALEX J. RAMON () | 104.8 | X | | | |
| PISINEMO 156.8 | 1. BARBARA SALVICIO (Alex Antone) | 78.4 | X | | | |
| | 2. JOHNSON JOSE () | 78.4 | X | | | X |
| SAN LUCY 128.1 | 1. ALBERT MANUEL, JR. () | 64.05 | X | | | |
| | 2. GLORIA RAMIREZ () | 64.05 | X | | | |
| GU VO 160.0 | 1. FERN SALCIDO () | 80.0 | X | | | |
| | 2. GLORIA MONTANA (Phillip Antone) | 80.0 | X | | | |
| HICKIWAN 158.1 | 1. SHIRLEY MOLINA () | 79.05 | X | | | |
| | 2. LLOYD FRANCISCO (Susan Sam) | 79.05 | X | | | |
| CHUKUT KUK 222.6 | 1. KENNETH WILLIAMS () | 111.3 | X | | | |
| | 2. DAVID GARCIA (Mary Audrey Juan) | 111.3 | X | | | X |
| TOTAL | | 2,165.5 | 2,165.5 | -0- | -0- | [02] |

****PASSED VOTES**