

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Accepting Certification of Eligible Members and Authorizing the Initial**  
**Expenditure of Funds for Per Capita Payments under the Initiative)**

**RESOLUTION NO. 01-005**

1 **WHEREAS, on June 28, 1997 the voters of the Tohono O'odham Nation (the "Nation") approved**  
2 **Initiative No. IN-01-97 (the "Initiative"); and**

3 **WHEREAS, the Initiative authorized funding from Gaming Revenues for several measures,**  
4 **including a one-time per capita distribution of \$2,000 to each member of the Nation**  
5 **enrolled on June 28, 1997 (the "Initial Per Capita Distribution"); and**

6 **WHEREAS, pursuant to Resolution 97-451, the Legislative Council adopted an Initiative Funding**  
7 **and Implementation Plan (the "FIP") which authorized the establishment of set-aside**  
8 **accounts for the Initial Per Capita Distribution and other Initiative measures, and set**  
9 **certain conditions on the expenditure of funds from such accounts; and**

10 **WHEREAS, by Resolution 97-478, the Legislative Council approved the transfer of funds from the**  
11 **Desert Diamond Savings Account to certain designated set-aside accounts**  
12 **established at Bank of America Arizona, including the sum of \$41.5 million to set-**  
13 **aside account no. 3030425-1067524 for the Initial Per Capita Distribution (the "Per**  
14 **Capita Account"); and**

15 **WHEREAS, three of the conditions to expenditure of the Per Capita Account specified in the FIP**  
16 **are (1) approval by the Secretary of the Interior of a per capita distribution plan (the**  
17 **"Revenue Allocation Plan") pursuant to the requirements of the Indian Gaming**  
18 **Regulatory Act, 25 U.S.C. § 2710 (b) (3); (2) acceptance by the Legislative Council of a**  
19 **Certification of Eligible Members submitted by the Enrollment Office and based upon**  
20 **receipt of a properly completed and filed Certificate of Eligibility Verification for Per**  
21 **Capita Payment for each member; and (3) as to each Minor Eligible Member,**  
22 **establishment of a restricted account at Bank of America for deposit of such**  
23 **member's per capita payment; and**

24 **WHEREAS, pursuant to Resolution 97-452, the Legislative Council adopted a Revenue Allocation**  
25 **Plan and caused the Plan to be submitted for approval by the Phoenix Area Office**  
26 **of the Bureau of Indian Affairs in accordance with authority delegated to the**  
27 **Area Office by the Secretary of the Interior; and**

**RESOLUTION NO. 01-005**

**(Accepting Certification of Eligible Members and Authorizing the Initial Expenditure of Funds for Per Capita Payments under the Initiative)**

**Page 2 of 4**

1 **WHEREAS, by letter dated December 18, 1997, the Area Office approved the Revenue Allocation**  
2 **Plan with respect to the Initial Per Capita Distribution and disapproved the Plan with**  
3 **respect to the Biennial Per Capita Payments; and**

4 **WHEREAS, an agreement with Bank of America has not yet been finalized for the establishment**  
5 **of the restricted accounts which is required as a condition to disbursement of the**  
6 **Initial Per Capita Distribution to such accounts for Minor Eligible Members; and**

7 **WHEREAS, pursuant to Resolution Nos. 97-525, 98-010, 98-037, 98-084, 98-128, 98-192, 98-207, 98-**  
8 **278, 98-316, 98-360, 98-431, 98-478, 98-505, 99-006, 99-041, 99-081, 99-142, 99-201, 99-**  
9 **312, 99-363, 99-422, 99-478, 99-563, 99-635, 2000-005, 2000-037, 2000-085, 2000-148,**  
10 **2000-177, 2000-225, 2000-299, 2000-356, 2000-399, 2000-488, 2000-527, and 2000-555**  
11 **the Legislative Council accepted and approved Certifications of Eligible Members for**  
12 **the Initial Per Capita Distribution, and disbursements have been made to such**  
13 **members; and**

14 **WHEREAS, the Enrollment Office has filed with the Legislative Council a Certification of Eligible**  
15 **Members listing 46 adult members who are eligible for receipt of the Initial Per**  
16 **Capita Distribution; and**

17 **WHEREAS, all conditions under the laws of the United States and the Nation have been satisfied**  
18 **to permit the disbursement of the Initial Per Capita Distribution to the members**  
19 **listed in the Certification of Eligible members.**

20 **NOW, THEREFORE, BE IT RESOLVED THAT:**

21 **1. The Tohono O'odham Legislative Council hereby accepts and approves the**  
22 **Certification of Eligible Members, in the form attached hereto.**

23 **2. The Legislative Council authorizes (a) the transfer of the sum of \$92,000.00 from**  
24 **the Per Capita Account to the special checking account no. 252-350-324**  
25 **established at Bank of America Arizona (the "Per Capita Checking Account"); and**  
26 **(b) upon the joint signature of the Chairman and Vice Chairman of the Nation,**  
27 **issuance of a check on the Per Capita Checking Account in the amount of (i) \$2,000**  
28 **to each Eligible Member residing in the United States and listed in the attached**

**RESOLUTION NO. 01-005**

**(Accepting Certification of Eligible Members and Authorizing the Initial Expenditure of Funds for Per Capita Payments under the Initiative)**

**Page 3 of 4**

- 1                   **Certification of Eligible Members and (ii) \$1,400 to each Eligible Member residing**  
2                   **outside the United States and listed in the attached Certification, with the balance**  
3                   **of \$600 withheld and remitted to the Internal Revenue Service pursuant to the**  
4                   **requirements of federal law.**
- 5                   **3. The Chairman of the Nation is authorized to execute such other documents as**  
6                   **may be necessary to implement this Resolution.**

7                   **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 08<sup>TH</sup> Day**  
8                   **of JANUARY, 2001 at a meeting at which a quorum was present with a vote of 1,638.9 FOR; 374.0**  
9                   **AGAINST; 152.6 NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council by**  
10                   **Section 1 (d)(2) of Article VI and Section 2 (d) of Article VII of the Constitution of the Tohono**  
11                   **O'Odham Nation, adopted by the Tohono O'Odham Nation on January 18, 1986; and approved by**  
12                   **the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to**  
13                   **Section 16 of the Act of June 18, 1934 (48 Stat. 984).**

14  
15                   **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

16  
17  
18                     
19                   **Dennis Ramon, Legislative Chairman**

20  
21                   9<sup>th</sup> day of January, 20 01

22  
23  
24                   **ATTEST:**

25  
26                     
27                   **Julianna Saraficio, Acting Legislative Secretary**

28  
29                   08 day of January, 20 01.

30  
31  
32                   **Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham**  
33                   **Nation on the 9<sup>th</sup> day of January, 20 01 at 3:11 o'clock, P.M.,**  
34                   **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective**  
35                   **upon his approval or upon his failure to either approve or disapprove it within 48 hours of**  
36                   **submittal.**

37  
38                   **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

39  
40                     
41                   **Dennis Ramon, Legislative Chairman**

42

**RESOLUTION NO. 01-005**

**(Accepting Certification of Eligible Members and Authorizing the Initial Expenditure of Funds for Per Capita Payments under the Initiative)**

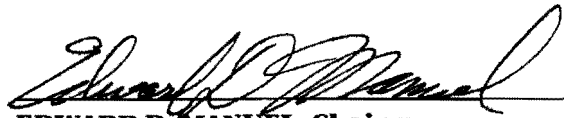
**Page 4 of 4**

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29
- 30
- 31
- 32
- 33
- 34
- 35
- 36
- 37
- 38
- 39
- 40
- 41
- 42
- 43

APPROVED

on the 9<sup>th</sup> day of January, 20 01  
at 4:49 o'clock, P.M.

DISAPPROVED

  
EDWARD D. MANUEL, Chairman  
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 10 day of

January, 20 01, at 9:41 o'clock, A.M.

  
Julianna Saraficio, Acting Legislative Secretary

**ACTION: ACCEPTING CERTIFICATION OF ELIGIBLE MEMBERS AND AUTHORIZING THE INITIAL EXPENDITURE OF FUNDS FOR PER CAPITA PAYMENTS UNDER THE INITIATIVE**

**MOVED: COUNCILWOMAN FRANCES ANTONE**

**SECOND: COUNCILMAN DAVID GARCIA**

**DATE: JANUARY 08, 2001**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>SIF OIDAK</b> <b>171.8</b>	1. MARY ANN ANTONE (Darlene Andrew)	85.9		X		
	2. RITA MARTINEZ (Nicholas Jose)	85.9			X	
<b>SELLS</b> <b>372.7</b>	1. DENNIS E. JOSE ( )	186.35	X			
	2. EVELYN JUAN ** ( )	186.35	X			
<b>SCHUK TOAK</b> <b>133.4</b>	1. MARY FLORES ( )	66.7			X	
	2. AMBROSE ENCINAS ( )	66.7	X			
<b>SAN XAVIER</b> <b>165.9</b>	1. TONY BURRELL ( )	82.95	X			
	2. DENNIS RAMON ( )	82.95	X			
<b>BABOQUIVARI</b> <b>286.5</b>	1. FRANCES MIGUEL ( )	143.25	X			
	2. FRANCES G. ANTONE (Edward N. Kisto)	143.25	X			
<b>GU ACHI</b> <b>209.6</b>	1. CAMILLUS LOPEZ (Louis Johnson)	104.8	X			
	2. ALEX J. RAMON ( )	104.8	X			X
<b>PISINEMO</b> <b>156.8</b>	1. BARBARA SALVICIO (Alex Antone)	78.4	X			
	2. JOHNSON JOSE ( )	78.4	X			
<b>SAN LUCY</b> <b>128.1</b>	1. ALBERT MANUEL, JR. ( )	64.05		X		
	2. GLORIA RAMIREZ ( )	64.05		X		
<b>GU VO</b> <b>160.0</b>	1. FERN SALCIDO ( )	80.0		X		
	2. GLORIA MONTANA ** (Phillip Antone)	80.0		X		
<b>HICKIWAN</b> <b>158.1</b>	1. SHIRLEY MOLINA ** ( )	79.05	X			
	2. LLOYD FRANCISCO (Susan Sam)	79.05	X			
<b>CHUKUT KUK</b> <b>222.6</b>	1. KENNETH WILLIAMS ( )	111.3	X			
	2. DAVID GARCIA (Mary Audrey Juan)	111.3	X			
<b>TOTAL</b>		<b>2,165.5</b>	<b>1,638.9</b>	<b>374.0</b>	<b>152.6</b>	<b>[01]</b>

\*\*PASSED VOTES