

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Authorizing the Tohono O'odham Nation Chairman and the Chief of Police to  
Enter into Agreements with State and Federal Governments to Accept Assets  
Seized as Part of Tohono O'odham Nation Police Department Drug  
Enforcement Efforts)**

**RESOLUTION NO. 01-128**

1 **WHEREAS, the Tohono O'odham Nation Police Department has been assisting outside law**  
2 **enforcement agencies in its ongoing effort to combat drug smuggling within the**  
3 **Nation's borders; and**

4 **WHEREAS, seized monies and property which are obtained through illegal enterprises are**  
5 **forfeited and distributed by Federal and State authorities to those enforcement**  
6 **agencies that have assisted in drug smuggling investigations; and**

7 **WHEREAS, these monies and property are authorized to be used only for specified law**  
8 **enforcement purposes pursuant to 18 U.S.C. § 981 (e), 19 U.S.C. § 1616a(c), 31 U.S.C. §**  
9 **9703 (a)(1)(G)(h), A.R.S. § 13-2301 et seq., and applicable implementing regulations**  
10 **and guidelines; and**

11 **WHEREAS, to satisfy accounting requirements for these funds, the Tohono O'odham Nation**  
12 **Police Department is requesting that separate liability-funds-held accounts be**  
13 **created to hold such monies with strict adherence to the accounting rules set forth**  
14 **in applicable Federal and State laws and regulations; and**

15 **WHEREAS, an agreement signed by the Chairman of the Nation and the Chief of Police with**  
16 **Federal and State authorities is required to receive such monies and property; and**

17 **WHEREAS, the Tohono O'odham Nation Police Department requests that the Chairman of the**  
18 **Nation and the Chief of Police be given ongoing authority to sign and execute such**  
19 **agreements for as long as such monies and property from seized assets are available;**  
20 **and**

21 **WHEREAS, the Tohono O'odham Nation Legislative Council Domestic Affairs Committee has**  
22 **forwarded a copy of this resolution to the Budget and Finance Committee for its**  
23 **review; the Domestic Affairs Committee supports and recommends its approval by**  
24 **the Tohono O'odham Legislative Council.**

25 **NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Nation and the Chief of Police**

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1           **are authorized to sign any and all agreements authorizing the Tohono O'odham**  
2           **Nation to receive monies and property from assets seized by State and Federal**  
3           **authorities for use by the Nation's Police Department; said signature authority is**  
4           **effective for as long as such monies and property are available to the Tohono**  
5           **O'odham Nation.**

6 **BE IT FURTHER RESOLVED that the Tohono O'odham Nation Legislative Council approves the**  
7           **acceptance and expenditure of monies and property given to the Tohono O'odham**  
8           **Nation for use by its Police Department from State and Federal authorities.**

9 **BE IT FURTHER RESOLVED that such intergovernmental agreements shall remain in full force and**  
10           **effect for the current and future fiscal years until all monies are expended in**  
11           **accordance with the Nation's standard appropriations and budgeting processes.**

12 **BE IT FURTHER RESOLVED that these monies shall be kept in separate liability-funds-held**  
13           **accounts and all accounting requirements set forth in applicable State and Federal**  
14           **laws and regulations for such funds shall be adhered to.**

15 **BE IT FURTHER RESOLVED that these monies, once received by the Tohono O'odham Nation on**  
16           **behalf of the Tohono O'odham Police Department, shall not reduce the Police**  
17           **Department base budget, but shall be used solely for law enforcement purposes**  
18           **specified in applicable State and Federal laws and regulations in the current and**  
19           **future fiscal years until all monies are expended.**

20 **BE IT FINALLY RESOLVED that the Tohono O'odham Nation Accounting Office shall submit**  
21           **quarterly activity and status reports concerning the Tohono O'odham Police**  
22           **Department liability-funds-held accounts to the Domestic Affairs Committee and**  
23           **shall further submit an annual activity and status report to the Tohono O'odham**  
24           **Legislative Council.**

25 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 20<sup>TH</sup> Day**  
26 **of MARCH, 2001 at a meeting at which a quorum was present with a vote of 1,662.05 FOR; 503.45**  
27 **AGAINST; -0- NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by**  
28 **Section 1 (f), (c)(2) & (d)(2) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted**

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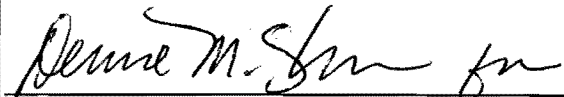
by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

**TOHONO O'ODHAM LEGISLATIVE COUNCIL**

  
Dennis Ramon, Legislative Chairman

21<sup>st</sup> day of March, 20 01

ATTEST:

  
Julianna Saraficio, Acting Legislative Secretary

20<sup>th</sup> day of March, 20 01

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 21<sup>st</sup> day of March, 20 01 at 4:45 o'clock, P.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.

**TOHONO O'ODHAM LEGISLATIVE COUNCIL**

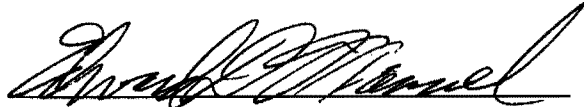
  
Dennis Ramon, Legislative Chairman

APPROVED

on the 21<sup>st</sup> day of March, 20 01

DISAPPROVED

at 4:55 o'clock, P.M.

  
EDWARD D. MANUEL, Chairman  
TOHONO O'ODHAM NATION

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Returned to the Legislative Secretary on the 21 day of  
March, 2001, at 5 o'clock, P.M.

  
\_\_\_\_\_  
**Julianna Saraficio, Acting Legislative Secretary**

**ACTION:** AUTHORIZING THE TOHONO O'ODHAM NATION CHAIRMAN AND THE CHIEF OF POLICE TO ENTER INTO AGREEMENTS WITH STATE AND FEDERAL GOVERNMENTS TO ACCEPT ASSETS SEIZED AS PART OF TOHONO O'ODHAM NATION POLICE DEPARTMENT DRUG ENFORCEMENT EFFORTS

**MOVED:** COUNCILWOMAN MARY ANN ANTONE

**SECOND:** COUNCILMAN ALBERT MANUEL JR.

**DATE:** MARCH 20, 2001

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>SIF OIDAK</b> 171.8	1. MARY ANN ANTONE (Darlene Andrew)	85.9	X			
	2. RITA MARTINEZ (Nicholas Jose)	85.9	X			
<b>SELLS</b> 372.7	1. DENNIS E. JOSE ( )	186.35		X		
	2. EVELYN JUAN ( )	186.35		X		
<b>SCHUK TOAK</b> 133.4	1. MARY FLORES ( )	66.7	X			
	2. AMBROSE ENCINAS ( )	66.7		X		
<b>SAN XAVIER</b> 165.9	1. TONY BURRELL ( )	82.95	X			
	2. DENNIS RAMON ( )	82.95	X			X
<b>BABOQUIVARI</b> 286.5	1. FRANCES MIGUEL ( )	143.25	X			
	2. FRANCES G. ANTONE (Edward N. Kisto)	143.25	X			
<b>GU ACHI</b> 209.6	1. CAMILLUS LOPEZ (Louis Johnson)	104.8	X			
	2. ALEX J. RAMON ( )	104.8	X			
<b>PISINEMO</b> 156.8	1. BARBARA SALVICIO (Alex Antone)	78.4	X			
	2. JOHNSON JOSE ( )	78.4	X			
<b>SAN LUCY</b> 128.1	1. ALBERT MANUEL, JR. ( )	64.05	X			
	2. GLORIA RAMIREZ ( )	64.05		X		
<b>GU VO</b> 160.0	1. FERN SALCIDO ( )	80.0	X			X
	2. GLORIA MONTANA (Phillip Antone)	80.0	X			
<b>HICKIWAN</b> 158.1	1. SHIRLEY MOLINA ( )	79.05	X			
	2. LLOYD FRANCISCO (Susan Sam)	79.05	X			
<b>CHUKUT KUK</b> 222.6	1. KENNETH WILLIAMS ( )	111.3	X			
	2. DAVID GARCIA (Mary Audrey Juan)	111.3	X			
<b>TOTAL</b>		<b>2,165.5</b>	<b>1,662.05</b>	<b>503.45</b>	<b>-0-</b>	<b>[02]</b>

**\*\*PASSED VOTES**