

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Requesting Support from the National Congress of American Indians on Securing  
Regulation Waiver Extensions to the 25 CFR Part 20 - Final Rule for Social  
Service Program)**

**RESOLUTION NO. 01-572**

- 1 **WHEREAS, the Tohono O'odham Nation has exercised its right under P.L. 93-638 to contract for**  
2 **social service programs from the Bureau of Indian Affairs; and**
- 3 **WHEREAS, the Tohono O'odham Nation continues to contract and operate the social service**  
4 **programs which include, Social Service and Family Assistance, Children's Home, and**  
5 **Adult Services; and**
- 6 **WHEREAS, the Bureau of Indian Affairs implemented new regulations, 25 CFR Part 20, that**  
7 **require the Tohono O'odham Nation to change its contracted scope of work to meet**  
8 **the new regulations; and**
- 9 **WHEREAS, the Tohono O'odham Legislative Council presented to the National Congress of**  
10 **American Indians at the Mid-Year Session of May 2001, a resolution requesting**  
11 **waivers to implementation to sections of 25 CFR Part 20; and**
- 12 **WHEREAS, the National Congress of American Indians, pursuant to Resolution #MSH-01-049,**  
13 **supported the requested waivers on behalf of Indian tribes that operated P.L. 93-638**  
14 **self-determination contracts; and**
- 15 **WHEREAS, the Bureau of Indian Affairs only recently responded to tribes requesting waivers to**  
16 **sections of 25 CFR Part 20; and**
- 17 **WHEREAS, waivers were received during the month of October 2001, but were granted with**  
18 **expiration dates of December 31, 2001; and**
- 19 **WHEREAS, the Bureau of Indian Affairs' untimely response to waiver requests contributes to**  
20 **the tribes' inability to implement regulation changes in an extremely minimal**  
21 **amount of time, therefore forcing tribes to be out of compliance with Social Service**  
22 **Regulations on January 1, 2002; and**
- 23 **WHEREAS, the inability of tribes to satisfy the new requirements of this Rule further jeopardizes**  
24 **the tribes' success in self-determination.**
- 25 **NOW, THEREFORE, BE IT RESOLVED THAT:**
- 26 **1. The Tohono O'odham Legislative Council requests that the recently issued 25**

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1 CFR Part 20 waivers be extended for a minimum of one additional year to  
2 allow regulation changes to be implemented.

3 2. The Tohono O'odham Legislative Council requests that 25 CFR Part 20 be  
4 reviewed by the new Bureau of Indian Affairs Administration.

5 3. The Tohono O'odham Legislative Council requests that the Bureau of Indian  
6 Affairs consult with tribes concerning the implementation and possible  
7 amendment of 25 CFR Part 20 and Part 115, Individual Indian Monies.

8 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 09<sup>TH</sup> Day  
9 of NOVEMBER, 2001 at a meeting at which a quorum was present with a vote of 2,084.7 FOR; -0-  
10 AGAINST; -0- NOT VOTING; and 332.8[09] ABSENT, pursuant to the powers vested in the Council by  
11 Section 1 (i)(3) of Article VI 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

17 Cecilia Lopez for  
18 Rita A. Martinez, Legislative Chairwoman

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20  
21 15<sup>th</sup> day of November, 20 01

22  
23 ATTEST:

24 Julianna Saraficio  
25  
26 Julianna Saraficio, Acting Legislative Secretary

27  
28 09 day of November, 20 01.

29  
30 Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham  
31 Nation on the 15<sup>th</sup> day of November, 20 01 at 4:51 o'clock, P..M.,  
32 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective  
33 upon his approval or upon his failure to either approve or disapprove it within 48 hours of  
34 submittal.

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36 TOHONO O'ODHAM LEGISLATIVE COUNCIL

37 Cecilia Lopez for  
38 Rita A. Martinez, Legislative Chairwoman

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**APPROVED**

on the 19<sup>th</sup> day of November, 20 01

**DISAPPROVED**

at 12:55 o'clock, P.M.

**EXCEEDED 48 HOURS**

  
**EDWARD D. MANUEL, Chairman**  
**TOHONO O'ODHAM NATION**

Returned to the Legislative Secretary on the 20<sup>th</sup> day of

November, 20 01, at 9:15 o'clock, A.M.

  
**Julianna Saraficio, Acting Legislative Secretary**

**ACTION:** REQUESTING SUPPORT FROM THE NATIONAL CONGRESS OF AMERICAN INDIANS ON SECURING REGULATION WAIVER EXTENSIONS TO THE 25 CFR PART 20 - FINAL RULE FOR SOCIAL SERVICE PROGRAMS

**MOVED:** COUNCILMAN ALBERT MANUEL JR.

**SECOND:** COUNCILWOMAN FRANCES MIGUEL

**DATE:** NOVEMBER 09, 2001

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>BABOQUIVARI</b> 317.7	1. FRANCES MIGUEL ( )	158.85	X			
	2. FRANCES G. ANTONE (Lucilda Norris-Valenzuela)	158.85	X			
<b>CHUKUT KUK</b> 248.1	1. KENNETH WILLIAMS (Juanita Homer)	124.05	X			
	2. DAVID GARCIA (Mary Audrey Juan)	124.05	X			X
<b>GU ACHI</b> 230.7	1. CAMILLUS LOPEZ ( )	115.35	X			
	2. ALEX J. RAMON (Jerome Joaquin)	115.35	X			X
<b>GU VO</b> 188.3	1. FERN SALCIDO ( )	94.15				X
	2. EMILIO LEWIS (Michael Flores)	94.15				X
<b>HICKIWAN</b> 167.3	1. SHIRLEY MOLINA ( )	83.65	X			X
	2. SANDRA ORTEGA ( )	83.65	X			
<b>PISINEMO</b> 174.7	1. BARBARA SALVICIO (Alex Antone)	87.35	X			
	2. PATRICIA CRUZ (Johnson Jose)	87.35	X			X
<b>SAN LUCY</b> 160.7	1. ALBERT MANUEL, JR. (John W. Lawson, Sr.)	80.35	X			
	2. GLORIA RAMIREZ ( )	80.35	X			X
<b>SAN XAVIER</b> 184.7	1. TONY BURRELL ( )	92.35	X			
	2. DENNIS RAMON ( )	92.35	X			
<b>SCHUK TOAK</b> 144.5	1. MARY FLORES ( )	72.25				X
	2. AMBROSE ENCINAS (Frances B. Conde(Francisco))	72.25				X
<b>SELLS</b> 416.1	1. DENNIS E. JOSE ( )	208.05	X			
	2. EVELYN JUAN ( )	208.05	X			
<b>SIF OIDAK</b> 184.7	1. ISIDRO LOPEZ ( )	92.35	X			
	2. RITA MARTINEZ (Nicholas Jose)	92.35	X			
<b>TOTAL</b>		<b>2,417.5</b>	<b>2,084.7</b>	<b>-0-</b>	<b>-0-</b>	<b>332.8</b> [09]

**\*\*PASSED VOTES**