

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Requesting That Congressional Interior Appropriations Subcommittees Deny the  
Department of the Interior's Reprogramming Request to Fund Indian Trust Asset  
Management Reorganization Opposed by Indian Tribes)**

**RESOLUTION NO. 01-620**

1 **WHEREAS, on November 21, 2001 the Tohono O'odham Legislative Council passed Resolution No.**  
2 **01-583, "Opposing Transfer of Trust Asset Management Responsibilities to the 'Bureau**  
3 **of Indian Trust Asset Management' in the Absence of Tribal Consultation"; and**

4 **WHEREAS, on November 28, 2001 the National Congress of American Indians unanimously**  
5 **adopted Resolution #SPO-01-006, which also opposed the creation of the Bureau of**  
6 **Indian Trust Asset Management ("BITAM"); and**

7 **WHEREAS, both the Tohono O'odham Legislative Council and National Congress of American**  
8 **Indians resolutions urge the United States Congress to reject reallocation of FY 2002**  
9 **monies to accommodate the BIA/BITAM reorganization proposal; and**

10 **WHEREAS, on December 6, 2001, the Nation received a copy of a November 20, 2001 letter from P.**  
11 **Lynn Scarlett, the Department of the Interior ("DOI") Assistant Secretary for Policy,**  
12 **Management, and Budget, to United States Senator Robert C. Byrd, Chairman,**  
13 **Subcommittee on Interior and Related Agencies, Committee on Appropriations**  
14 **("Reprogramming Request"); and**

15 **WHEREAS, in the Reprogramming Request, Assistant Secretary Scarlett notified Chairman Byrd**  
16 **that DOI planned "to transfer approximately \$100 million from the Office of the**  
17 **Special Trustee and approximately \$200 million in program funding from the Bureau**  
18 **of Indian Affairs," as well as additional, undisclosed amounts "for general**  
19 **administrative and financial functions and for trust-related contracts and compacts"**  
20 **to fund the BIA/BITAM reorganization; and**

21 **WHEREAS, reprogramming these monies would allow the DOI to proceed with the reorganization**  
22 **over strong tribal opposition, and regardless of the likely reduction in funds available**  
23 **for existing trust management functions; and**

24 **WHEREAS, neither Assistant Secretary Neil McCaleb nor Deputy Secretary J. Steven Griles**  
25 **revealed that the Reprogramming Request had been made when they addressed**  
26 **Tohono O'odham Nation officials and other tribal leaders at the National Congress of**  
27 **American Indians' 58<sup>th</sup> Annual Session on November 27 and 28, 2001; and**

28 **WHEREAS, these undisclosed acts and repeated, misleading statements by DOI officials suggest**  
29 **the Department of the Interior has no intention of truly consulting with Indian tribes**

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1 concerning the proposed reorganization, but that the reorganization is underway and  
2 will proceed regardless of any tribal input or opposition; and

3 WHEREAS, pursuant to House and Senate Appropriation Subcommittee procedures, DOI may  
4 reprogram funds as described in the Reprogramming Request if no action is taken by  
5 the Interior Appropriations Subcommittee Chairmen within thirty days.

6 NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council reaffirms its  
7 opposition to the DOI/BIA reorganization proposal and urges that both the Senate and  
8 House Interior Appropriations Subcommittees reject the Reprogramming Request  
9 from the Department of the Interior.

10 BE IT FURTHER RESOLVED that the Tohono O'odham Nation respectfully requests that those tribes  
11 opposing the BIA/BITAM reorganization immediately contact their respective federal  
12 congressional delegations to request that the Reprogramming Request be denied.

13 BE IT FINALLY RESOLVED that copies of this resolution shall be transmitted to members of the  
14 Senate Select Committee on Indian Affairs.

15 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 07<sup>th</sup>. Day  
16 of DECEMBER, 2001 at a meeting at which a quorum was present with a vote of 2,417.5 FOR; -0-  
17 AGAINST; -0- NOT VOTING; and [04] ABSENT, pursuant to the powers vested in the Council by  
18 Section 1 (j) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the Tohono  
19 O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary -  
20 Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48  
21 Stat. 984).

22  
23 TOHONO O'ODHAM LEGISLATIVE COUNCIL

24  
25 Cynthia Lopez for  
26 Rita A. Martinez, Legislative Chairwoman  
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28  
29 10<sup>th</sup> day of December, 20 01  
30

31  
32 ATTEST:

33  
34 Juliana Saraficio  
35  
36 Juliana Saraficio, Acting Legislative Secretary

37  
38 07 day of December, 20 01.

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1 Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham  
2 Nation on the 10<sup>th</sup> day of December, 20 01 at 12:16 o'clock, P..M.,  
3 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective  
4 upon his approval or upon his failure to either approve or disapprove it within 48 hours of  
5 submittal.

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7 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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10 Caitlan Long for  
11 Rita A. Martinez, Legislative Chairwoman

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16  APPROVED

on the 10 day of December, 20 01

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18  DISAPPROVED

at 12:40 o'clock, P..M.

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20  
21 Edward D. Manuel  
22 EDWARD D. MANUEL, Chairman  
23 TOHONO O'ODHAM NATION

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28 Returned to the Legislative Secretary on the 10 day of

29  
30 December, 20 01, at 3:10 o'clock, P..M.

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33 Julianna Saraficio for  
34 Julianna Saraficio, Acting Legislative Secretary

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**ACTION: REQUESTING THAT CONGRESSIONAL INTERIOR APPROPRIATIONS SUBCOMMITTEES DENY THE DEPARTMENT OF THE INTERIOR'S REPROGRAMMING REQUEST TO FUND INDIAN TRUST ASSET MANAGEMENT REORGANIZATION OPPOSED BY INDIAN TRIBES**

**MOVED: COUNCILWOMAN FERN SALCIDO**

**SECOND: COUNCILMAN AMBROSE ENCINAS**

**DATE: DECEMBER 07, 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			
<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			
	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			
<b>SAN LUCY</b> 160.7	1. ALBERT MANUEL, JR. (John W. Lawson, Sr.)	80.35	X			X
	2. GLORIA RAMIREZ ( )	80.35	X			
<b>SAN XAVIER</b> 184.7	1. TONY BURRELL ( )	92.35	X			X
	2. DENNIS RAMON ( )	92.35	X			
<b>SCHUK TOAK</b> 144.5	1. MARY FLORES ( )	72.25	X			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>2,417.5</b>	<b>-0-</b>	<b>-0-</b>	<b>[04]</b>

**\*\*PASSED VOTES**