

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Authorizing the Expenditure of Funds Under the Asset Forfeiture Program for
Travel Expenses from the Department of Justice Account)

RESOLUTION NO. 04-462

- 1 **WHEREAS, pursuant to Legislative Council Resolution No. 01-128 as amended by Res. No. 04-249,**
2 **the Nation's Chairperson and the Chief of Police have been authorized to sign and**
3 **enter into ongoing agreements known as Federal Equitable Sharing Agreements**
4 **(FESA) with the state and federal governments: U.S. Department of Justice (DOJ) and**
5 **U.S. Department of the Treasury (DOT) to accept assets seized as part of the law**
6 **enforcements efforts in combating illegal enterprises on the Nations' lands; and**
- 7 **WHEREAS, both parties agreed to be bound by the statutes and guidelines that regulate the**
8 **shared assets and certain requirements for participating in the FESA programs; and**
- 9 **WHEREAS, monies received are to be held in separate liability fund accounts and must not be**
10 **commingled with other state and federal equitable sharing funds received from**
11 **other state and federal agencies; and**
- 12 **WHEREAS, the federal guidelines require that these monies shall not reduce the Police**
13 **Departments base budget, but are to be used solely for law enforcement purposes in**
14 **combating illegal activities; and**
- 15 **WHEREAS, that the Tohono O'odham Nation Accounting Office is to submit quarterly activity and**
16 **status reports on these funds to the Domestic Affairs Committee and to submit**
17 **annual activity and status reports to the Tohono O'odham Legislative Council; and**
- 18 **WHEREAS, pursuant to Resolution No. 03-085 authorization was given to the establishment and**
19 **maintenance of separate bank accounts for the purposes of participating in the FESA**
20 **program; and**
- 21 **WHEREAS, the Treasurer established two separate bank accounts with Bank of America for the**
22 **receipt of funds under the account names of Department of Justice and the**
23 **Department of Treasury; and**
- 24 **WHEREAS, the Treasurer has maintained these accounts according to the terms, conditions and**
25 **internal control standards set forth under the FESA agreements; and**
- 26 **WHEREAS, the Tohono O'odham Legislative Council has agreed to delete the statement for "in**
27 **accordance with the Nation's standard appropriations and budgeting processes" and**
28 **revise the wording to "until the agreements expire by their own terms"; and**

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Page 2 of 3

1 **WHEREAS, the Tohono O'odham Police Department submits its request for authorization and**
2 **expenditure of funds for Travel Expenses for the amount of \$790.07 from the Asset**
3 **Forfeiture Fund Account - Department of Justice.**

4 **NOW, THEREFORE, BE IT RESOLVED that the Legislative Council hereby accepts and approves the**
5 **authorization and expenditure for Travel for the amount of \$790.07 from the Asset**
6 **Forfeiture Fund Account - Department of Justice Account #0046-7808-3507.**

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8 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 16TH Day**
9 **of SEPTEMBER, 2004 at a meeting at which a quorum was present with a vote of 2,629.7 FOR; -0-**
10 **AGAINST; -0- NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council by**
11 **Section 1 (f) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the Tohono**
12 **O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary -**
13 **Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48**
14 **Stat. 984).**

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TOHONO O'ODHAM LEGISLATIVE COUNCIL

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for Isidro Lopez
Isidro Lopez, Legislative Chairman
22nd day of September, 2004

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ATTEST:

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Rosita N. Ruiz
Rosita N. Ruiz, Legislative Secretary

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22 day of September, 2004.

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Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono
32 **O'Odham Nation on the 22nd day of September, 2004 at 4:38 o'clock,**
33 **P.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become**
34 **effective upon her approval or upon her failure to either approve or disapprove it within 48 hours**
35 **of submittal.**

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TOHONO O'ODHAM LEGISLATIVE COUNCIL

for Isidro Lopez
Isidro Lopez, Legislative Chairman

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Page 3 of 3

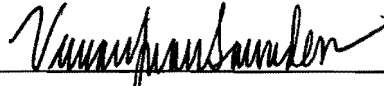
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APPROVED

on the 21 day of September, 2004

DISAPPROVED

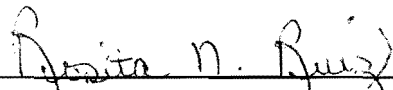
at 2:29 o'clock, P.M.



VIVIAN JUAN-SAUNDERS, CHAIRWOMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 27 day of

September, 2004, at 3:32 o'clock, P.M.



Rosita N. Ruiz, Legislative Secretary

ACTION: AUTHORIZING THE EXPENDITURE OF FUNDS UNDER THE ASSET FORFEITURE PROGRAM FOR TRAVEL EXPENSES FROM THE DEPARTMENT OF JUSTICE ACCOUNT

MOVED: COUNCILMAN VERLON JOSE

SECOND: COUNCILWOMAN FRANCES MIGUEL

DATE: SEPTEMBER 16, 2004

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 192.6	1. ISIDRO LOPEZ (Nicholas Jose)	96.30	X			
	2. DARLENE ANDREW (Rita Martinez)	96.30	X			
SELLS 465.6	1. DENNIS E. JOSE ()	232.80	X			
	2. EVELYN JUAN** ()	232.80	X			
SCHUK TOAK 176.1	1. FRANCES B. CONDE ()	88.05	X			
	2. PHYLLIS JUAN ()	88.05	X			
SAN XAVIER 215.4	1. FELICIA NUÑEZ (Olivia Liston-Villegas)	107.70	X			
	2. DENNIS RAMON (Eleanor Hunter)	107.70	X			X
SAN LUCY 166.3	1. JOHN W. LAWSON, SR. ()	83.15	X			
	2. GLORIA RAMIREZ ()	83.15	X			
PISINEMO 175.4	1. BARBARA SALVICIO ()	87.70	X			
	2. PATRICIA CRUZ ()	87.70	X			
HICKIWAN 170.3	1. DELMA GARCIA (Mary E. Sam)	85.15	X			
	2. SANDRA ORTEGA ()	85.15	X			
GU VO 191.4	1. RAYMOND VICTOR ()	95.70	X			
	2. MICHAEL FLORES (Willard Manuel)	95.70	X			
GU ACHI 253.6	1. TIMOTHY L. JOAQUIN (Jonas Robles)	126.80	X			
	2. JEROME JOAQUIN (Roberta Picard)	126.80	X			
CHUKUT KUK 258.9	1. KENNETH WILLIAMS (Juanita Homer)	129.45	X			
	2. VERLON M. JOSE (David Garcia)	129.45	X			
BABOQUIVARI 364.1	1. FRANCES MIGUEL (Lucilda Norris-Valenzuela)	182.05	X			
	2. FRANCES G. ANTONE ()	182.05	X			
TOTAL		2,629.7	2,629.7	-0-	-0-	[01]

**PASSED VOTES