

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving P.L. 93-638 Contract Proposal with the Bureau of Indian Affairs, United States
Department of the Interior, and Authorizing Negotiations)

RESOLUTION NO. 05-352

1 **WHEREAS, the Tohono O'odham Nation ("Nation") currently contracts with the Bureau of Indian**
2 **Affairs ("BIA") of the Department of the Interior under Title 1 of Public Law 93-638, the**
3 **Indian Self-Determination and Education Assistance Act, as amended, to perform**
4 **federal programs, functions, services and activities in nineteen program areas; and**

5 **WHEREAS, the current Master Contract No. 1450CTH54T61071 expires by its own terms on**
6 **September 30, 2005; and**

7 **WHEREAS, the Nation's operation of 638 contracted programs has been successful and beneficial**
8 **to the Nation and its people, despite the chronic underfunding of the programs by the**
9 **United States which forces the Nation to subsidize these programs by supplying tribal**
10 **funds; and**

11 **WHEREAS, the Nation is investigating whether to switch from self-determination contracting**
12 **with the BIA under Title 1 of P.L. 93-638 to self-governance compacting under Title IV**
13 **of P.L. 93-638, but such a study will not be complete before October 1, 2005; and**

14 **WHEREAS, in order to facilitate a financial accounting of the nine years of operation of Master**
15 **Contract No. 1450CTH54T61071, the Nation is prepared to allow the contract to expire**
16 **on September 30, 2005 and to enter into a new self-determination master contract**
17 **with the BIA to operate the same programs, with some modifications, as were**
18 **previously operated under Master Contract No. 1450CTH54T61071; and**

19 **WHEREAS, the Chairwoman of the Nation has appointed a negotiating team consisting of**
20 **Carmen Juan (team leader), Jonathan Jantzen (Deputy Attorney General), Silvia Parra**
21 **(Chief Administrative Officer), Verna Espuma (Manager of Grants and Contracts) and**
22 **other Grants and Contracts staff, Selso Villegas (Department of Natural Resources),**
23 **Ed Reina (Department of Public Safety), and Mark Lewis (Department of Human**
24 **Services) to represent the Nation in negotiations with the BIA.**

25 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council:**

- 26 **1. Approves the proposed Master Contract and Annual Funding Agreement for**

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1 **FY 2006 substantially in the form attached hereto, and authorizes the**
2 **Chairwoman of the Nation to submit them to the BIA as a contract proposal**
3 **on or before June 30, 2005, including the following programs:**

- 4 **(A) Economic Development (Credit and Finance)**
- 5 **(B) Individuals With Disabilities Education (IDEA)**
- 6 **(C) Higher Education Scholarships**
- 7 **(D) Johnson O'Malley**
- 8 **(E) Law Enforcement Services**
- 9 **(F) Judicial Services**
- 10 **(G) Employment Assistance (also known as Job Placement and Training)**
- 11 **(H) Water Resources**
- 12 **(I) Agriculture Extension, Veterinary and Animal Husbandry**
- 13 **(J) Social Services / Family Assistance**
- 14 **(K) Children's Home**
- 15 **(L) Adult Care Services**
- 16 **(M) Gila River Adjudication**
- 17 **(N) Indian Child Welfare Act - Family Preservation Program**
- 18 **(O) Wildland Fire Management Program**
- 19 **(P) Minerec Plant Decommissioning and Remediation**
- 20 **(Q) Range Conservation and Management Program**
- 21 **(R) Realty**

22 **2. Authorizes the Chairwoman and other officials of the Nation, including the**
23 **appointed negotiating team, to negotiate the contract with the BIA to a**
24 **satisfactory conclusion, including the provision of maximum available**
25 **funding;**

26 **3. Authorizes the Chairwoman of the Nation to execute the contract and**
27 **Annual Funding Agreement upon completion of satisfactory negotiations;**

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4. Requests that the Secretary of the Interior approve the contract proposal and adequately fund all programs contracted by the Nation.

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 27TH Day of JUNE, 2005 at a meeting at which a quorum was present with a vote of 2,440.80 FOR; -0- AGAINST; -0- NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council by Section 1 (f) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted 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

Evelyn B. Juan Manuel, Legislative Chairwoman

27th day of June, 2005

ATTEST:

Lucille Lopez, Acting Legislative Secretary

27th day of June, 2005.

Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono O'Odham Nation on the 27th day of June, 2005 at 2:23 o'clock, P..M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective upon her approval or upon her failure to either approve or disapprove it within 48 hours of submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL

Evelyn B. Juan Manuel, Legislative Chairwoman

APPROVED
 DISAPPROVED

on the 27 day of June, 2005
at 2:25 o'clock, P..M.

**VIVIAN JUAN-SAUNDERS, CHAIRWOMAN
TOHONO O'ODHAM NATION**

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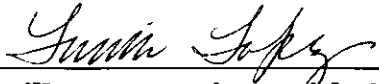
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Returned to the Legislative Secretary on the 27th day of

June, 2005, at 2:25 o'clock, P.M.



Lucille Lopez, Acting Legislative Secretary

ACTION: APPROVING P.L. 93-638 CONTRACT PROPOSAL WITH THE BUREAU OF INDIAN AFFAIRS, UNITED STATES DEPARTMENT OF THE INTERIOR, AND AUTHORIZING NEGOTIATIONS

MOVED: VICE CHAIRMAN VERLON JOSE

SECOND: COUNCILWOMAN FRANCES ANTONE

DATE: JUNE 27, 2005

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 310.8	1. FRANCES MIGUEL ()	155.40	X			
	2. FRANCES G. ANTONE (Lucilda J. Valenzuela (Norris))	155.40	X			
CHUKUT KUK 258.7	1. ETHEL GARCIA ()	129.35	X			
	2. VERLON M. JOSE (David Garcia)	129.35	X			
GU ACHI 221.6	1. TIMOTHY L. JOAQUIN (Jonas Robles)	110.80	X			
	2. CYNTHIA E. MANUEL (Louis L. Johnson)	110.80	X			
GU VO 193.1	1. RAYMOND VICTOR ()	96.55	X			
	2. MICHAEL FLORES (Grace Manuel)	96.55	X			
HICKIWAN 167.4	1. DELMA GARCIA (Mary E. Sam)	83.70	X			
	2. SANDRA ORTEGA ()	83.70	X			
PISINEMO 171.8	1. BARBARA SALVICIO ()	85.90	X			
	2. GERALD FAYUANT ()	85.90	X			
SAN LUCY 169.0	1. JOHN W. LAWSON, SR. ()	84.50	X			X
	2. GLORIA RAMIREZ ()	84.50	X			
SAN XAVIER 193.8	1. FELICIA NUÑEZ ()	96.90	X			
	2. OLIVIA VILLEGAS-LISTON ()	96.90	X			
SCHUK TOAK 146.9	1. FRANCES B. CONDE ()	73.45	X			
	2. PHYLLIS JUAN ()	73.45	X			
SELLS 421.0	1. DENNIS E. JOSE ()	210.50	X			
	2. EVELYN B. JUAN MANUEL ()	210.50	X			
SIF OIDAK 186.7	1. WAVALENE SAUNDERS (Isidro Lopez)	93.35	X			
	2. DARLENE ANDREW (Rita Martinez)	93.35	X			
TOTAL		2,440.80	2,440.80	-0-	-0-	[01]

****PASSED VOTES**