

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Approving Memorandum of Understanding with State of Arizona Regarding Homeland Security Funding and Cooperative Efforts)**

**RESOLUTION NO. 05-509**

- 1 **WHEREAS, the Tohono O'odham Legislative Council is vested with the power to "consult,**  
2 **negotiate and conclude agreements and contracts on behalf of the Tohono O'odham**  
3 **Nation with Federal, State and local governments . . . all matters within the authority**  
4 **of the Tohono O'odham Council" (Constitution of the Tohono O'odham Nation, Article**  
5 **VI, Section 1(f)); and**
- 6 **WHEREAS, the southern boundary of the Tohono O'odham Nation comprises 75 miles of remote**  
7 **international border between the United States and Mexico and has become one of**  
8 **the most heavily trafficked drug and illegal alien smuggling corridors in the United**  
9 **States; and**
- 10 **WHEREAS, more than half the Tohono O'odham Police Department budget is expended on**  
11 **border security, thereby reducing law enforcement resources available for**  
12 **community policing and implementing crime prevention measures to serve the**  
13 **Nation's members; and**
- 14 **WHEREAS, illegal border activities also divert limited health service resources, damage**  
15 **reservation lands, and result in an increase in property and violent crimes**  
16 **committed against members of the Nation; and**
- 17 **WHEREAS, the Nation coordinates closely with state and federal law enforcement agencies in an**  
18 **effort to secure the international border and combat illegal trafficking, associated**  
19 **environmental damage, and related criminal activity; and**
- 20 **WHEREAS, despite the Nation's substantial contributions and efforts in this respect, the Nation**  
21 **is ineligible to directly receive any federal homeland security grants or other aid**  
22 **because the Homeland Security Act fails to recognize the role of sovereign tribal**  
23 **governments; and**
- 24 **WHEREAS, those at the decision-making level of the federal government continue to fail to**  
25 **consult with tribal governments on homeland security plans and policies; and**
- 26 **WHEREAS, the office of Arizona Governor Janet Napolitano has expressed an interest in**  
27 **improving cooperative efforts between the State of Arizona and the Tohono O'odham**  
28 **Nation in border security and related areas; and**

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1 WHEREAS, it is in the Nation's best interest to enter a memorandum of understanding with the  
2 State of Arizona ("Security MOU") to (1) enhance cooperation with State agencies  
3 committed to improving border security, public health, education, economic  
4 development, and environmental quality, (2) provide the Nation with better access  
5 to federal grants and other aid designed to improve homeland security and mitigate  
6 illegal border activity impacts, and (3) obtain State support in ensuring that the  
7 United States satisfies its trust obligations to the Nation; and

8 WHEREAS, the Domestic Affairs Committee has reviewed the Security MOU presented by the  
9 Office of Arizona Governor Janet Napolitano and recommends its adoption.

10 NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council hereby approves  
11 and adopts the Security MOU between the Tohono O'odham Nation and the State of  
12 Arizona in substantially the form attached hereto and authorizes the Nation's Vice  
13 Chairman to execute the Security MOU on the Nation's behalf.

14 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 15<sup>TH</sup>. Day  
15 of SEPTEMBER, 2005 at a meeting at which a quorum was present with a vote of 1,764.40 FOR;  
16 676.40 AGAINST; -0- NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council  
17 by Section 1 (f), 1(c)(2), and 1(c)(6) of Article VI of the Constitution of the Tohono O'Odham Nation,  
18 adopted by the Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy  
19 Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act  
20 of June 18, 1934 (48 Stat. 984).

21  
22 TOHONO O'ODHAM LEGISLATIVE COUNCIL

23  
24   
25 Evelyn B. Juan Manuel, Legislative Chairwoman

26  
27 16 day of September, 2005  
28

29 ATTEST:

30  
31   
32 Lucille Lopez, Acting Legislative Secretary

33  
34 16<sup>th</sup> day of September, 2005.  
35

36 Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono  
37 O'Odham Nation on the 16 day of September, 2005 at 4:43 o'clock,  
38 P.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become  
39 effective upon her approval or upon her failure to either approve or disapprove it within 48 hours  
40 of submittal.

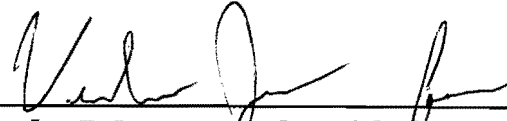
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**TOHONO O'ODHAM LEGISLATIVE COUNCIL**


  
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**Evelyn B. Juan Manuel, Legislative Chairwoman**

**APPROVED**

on the 20<sup>th</sup> day of September, 2005

**DISAPPROVED**

at 11:54 o'clock, A.M.

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

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

September, 2005, at 12:30 o'clock, P.M.

  
\_\_\_\_\_  
**Lucille Lopez, Acting Legislative Secretary**

**ACTION: APPROVING MEMORANDUM OF UNDERSTANDING WITH STATE OF ARIZONA REGARDING HOMELAND SECURITY FUNDING AND COOPERATIVE EFFORTS**

**Moved: COUNCILWOMAN GLORIA RAMIREZ**

**SECOND: COUNCILMAN TIMOTHY JOAQUIN**

**DATE: SEPTEMBER 15, 2005**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>BABOQUIVARI 310.8</b>	1. FRANCES MIGUEL ( )	155.40		X		
	2. FRANCES G. ANTONE (Lucilda J. Valenzuela (Norris))	155.40		X		
<b>CHUKUT KUK 258.7</b>	1. ETHEL GARCIA ( )	129.35	X			
	2. VERLON M. JOSE (David Garcia)	129.35	X			
<b>GU ACHI 221.6</b>	1. TIMOTHY L. JOAQUIN (Jonas Robles)	110.80	X			
	2. CYNTHIA E. MANUEL (Louis L. Johnson)	110.80	X			
<b>GU VO 193.1</b>	1. RAYMOND VICTOR ( )	96.55	X			
	2. MICHAEL FLORES (Grace Manuel)	96.55	X			
<b>HICKIWAN 167.4</b>	1. DELMA GARCIA (Mary E. Sam)	83.70	X			X
	2. SANDRA ORTEGA ( )	83.70	X			
<b>PISINEMO 171.8</b>	1. BARBARA SALVICIO ( )	85.90		X		
	2. GERALD FAYUANT ( )	85.90		X		
<b>SAN LUCY 169.0</b>	1. JOHN W. LAWSON, SR. ( )	84.50	X			
	2. GLORIA RAMIREZ ( )	84.50	X			
<b>SAN XAVIER 193.8</b>	1. FELICIA NUÑEZ ( )	96.90		X		X
	2. OLIVIA VILLEGAS-LISTON ( )	96.90		X		
<b>SCHUK TOAK 146.9</b>	1. FRANCES B. CONDE ** ( )	73.45	X			
	2. PHYLLIS JUAN ( )	73.45	X			
<b>SELLS 421.0</b>	1. DENNIS E. JOSE ( )	210.50	X			X
	2. EVELYN B. JUAN MANUEL ( )	210.50	X			
<b>SIF OIDAK 186.7</b>	1. WAVALENE SAUNDERS (Isidro Lopez)	93.35	X			
	2. DARLENE ANDREW (Rita Martinez)	93.35	X			
<b>TOTAL</b>		<b>2,440.80</b>	<b>1,764.40</b>	<b>676.40</b>	<b>-0-</b>	<b>[03]</b>

\*\*PASSED VOTES