

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Authorizing the Tohono O'odham Nation Vice Chairman and the Chief of Police to Renew the**  
**Federal Equitable Sharing Agreement with the U.S. Department of Justice and U.S. Department**  
**of Treasury for Acceptance of Assets Seized as Part of Tohono O'odham Nation Police**  
**Department Drug Enforcement Efforts)**

**RESOLUTION NO. 05-615**

- 1 **WHEREAS, pursuant to Resolution No. 01-128 the Tohono O'odham Nation Vice Chairman and**  
2 **the Chief of Police have entered into agreements known as "Federal Equitable**  
3 **Sharing Agreements" with the U.S. Department of Justice and U.S. Department of**  
4 **Treasury for the Acceptance of Seized Assets; and**
- 5 **WHEREAS, in an ongoing effort to combat drug smuggling within the Nations' borders the**  
6 **Tohono O'odham Nation Police Department has been assisting outside law**  
7 **enforcement agencies; and**
- 8 **WHEREAS, Federal and State authorities have seized monies and properties obtained through**  
9 **illegal enterprises which are forfeited and distributed to those enforcement agencies**  
10 **that assisted in the drug smuggling investigations; and**
- 11 **WHEREAS, these seizures are authorized to be used only for specified law enforcement purposes**  
12 **pursuant to U.S.C., A.R.S. and all other applicable implementing regulations and**  
13 **guidelines; and**
- 14 **WHEREAS, pursuant to Resolution 03-085 the "Federal Equitable Sharing Agreements" ("FESA")**  
15 **mandated that these funds are to be held in separate liability fund accounts with**  
16 **strict adherence to the accounting rules set forth in the applicable Federal and State**  
17 **laws and regulations; and**
- 18 **WHEREAS, these funds are not be commingled with other federal equitable sharing funds; and**
- 19 **WHEREAS, the Nation is to establish separate revenue accounts or accounting codes for funds**  
20 **received; and**
- 21 **WHEREAS, the interest generated must be accounted for in the appropriate federal forfeiture**  
22 **fund accounts; and**
- 23 **WHEREAS, two bank accounts were established with the Bank of America, one for funds received**  
24 **from the U.S. Department of Justice and the other for funds received from the U.S.**  
25 **Department of Treasury; and**
- 26 **WHEREAS, these accounts are maintained pursuant to the terms, conditions and internal**  
27 **control standards of the FESA; and**

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1 **WHEREAS, the intergovernmental agreements or the "Federal Equitable Sharing Agreements"**  
2 **is set to expire on September 30, 2005; and**

3 **WHEREAS, the Tohono O'odham Nation Police Department requests the Vice Chairman of the**  
4 **Nation and the Chief of Police be given authority to renew, sign and execute such**  
5 **agreements; and**

6 **WHEREAS, the agreement term is three (3) years, to be effective October 1, 2005 through**  
7 **September 30, 2008.**

8 **NOW, THEREFORE, BE IT RESOLVED by the Tohono O'odham Nation Legislative Council that the**  
9 **Vice Chairman of the Tohono O'odham Nation and the Chief of Police are authorized**  
10 **to renew, sign and execute any and all agreements authorizing the Tohono O'odham**  
11 **Nation to receive monies and property from assets seized by State and Federal**  
12 **authorities for use by the Nation's Police Department.**

13 **BE IT FINALLY RESOLVED that the signature authority is to be effective for three (3) years, October**  
14 **1, 2005 through September 30, 2008.**

15 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 11<sup>TH</sup> Day**  
16 **of OCTOBER, 2005 at a meeting at which a quorum was present with a vote of 2,440.80 FOR; -0-**  
17 **AGAINST; -0- NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by Article**  
18 **IV, Section 1 (f) 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).**

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23 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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

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28 13<sup>th</sup> day of October, 2005

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31 **ATTEST:**

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35 **Lucille Lopez, Acting Legislative Secretary**

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37 12<sup>th</sup> day of October, 2005.

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1 **Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono**  
2 **O'Odham Nation on the 13<sup>th</sup> day of October, 2005 at 8:42 o'clock, A.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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11 **Evelyn B. Juan Manuel, Legislative Chairwoman**

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15  **APPROVED**

on the 13 day of October, 2005

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17  **DISAPPROVED**

at 3:04 o'clock, P.M.

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

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26 **Returned to the Legislative Secretary on the 13<sup>th</sup> day of**

27 October, 2005, at 3:18 o'clock, P.M.

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32 **Lucille Lopez, Acting Legislative Secretary**

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**ACTION: AUTHORIZING THE TOHONO O'ODHAM NATION VICE CHAIRMAN AND THE CHIEF OF POLICE TO RENEW THE FEDERAL EQUITABLE SHARING AGREEMENT WITH THE U.S. DEPARTMENT OF JUSTICE AND U.S. DEPARTMENT OF TREASURY FOR ACCEPTANCE OF ASSETS SEIZED AS PART OF TOHONO O'ODHAM NATION POLICE DEPARTMENT DRUG ENFORCEMENT EFFORTS**

**MOVED: COUNCILWOMAN GLORIA RAMIREZ**

**SECOND: COUNCILMAN JOHN LAWSON SR.**

**DATE: OCTOBER 11, 2005**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>BABOQUIVARI</b> <b>310.8</b>	1. FRANCES MIGUEL ( )	155.40	X			
	2. FRANCES G. ANTONE (Lucilda J. Valenzuela (Norris))	155.40	X			
<b>CHUKUT KUK</b> <b>258.7</b>	1. ETHEL GARCIA ( )	129.35	X			
	2. VERLON M. JOSE (David Garcia)	129.35	X			
<b>GU ACHI</b> <b>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</b> <b>193.1</b>	1. RAYMOND VICTOR ( )	96.55	X			X
	2. MICHAEL FLORES (Grace Manuel)	96.55	X			
<b>HICKIWAN</b> <b>167.4</b>	1. DELMA GARCIA (Mary E. Sam)	83.70	X			
	2. SANDRA ORTEGA ( )	83.70	X			
<b>PISINEMO</b> <b>171.8</b>	1. BARBARA SALVICIO ( )	85.90	X			
	2. GERALD FAYUANT ( )	85.90	X			X
<b>SAN LUCY</b> <b>169.0</b>	1. JOHN W. LAWSON, SR. ( )	84.50	X			
	2. GLORIA RAMIREZ ( )	84.50	X			
<b>SAN XAVIER</b> <b>193.8</b>	1. FELICIA NUÑEZ ( )	96.90	X			
	2. OLIVIA VILLEGAS-LISTON ( )	96.90	X			
<b>SCHUK TOAK</b> <b>146.9</b>	1. FRANCES B. CONDE ( )	73.45	X			
	2. PHYLLIS JUAN ( )	73.45	X			
<b>SELLS</b> <b>421.0</b>	1. DENNIS E. JOSE ( )	210.50	X			
	2. EVELYN B. JUAN MANUEL** ( )	210.50	X			
<b>SIF OIDAK</b> <b>186.7</b>	1. WVALENE SAUNDERS (Isidro Lopez)	93.35	X			
	2. DARLENE ANDREW (Rita Martinez)	93.35	X			
<b>TOTAL</b>		<b>2,440.80</b>	<b>2,440.80</b>	<b>-0-</b>	<b>-0-</b>	<b>[02]</b>

\*\*PASSED VOTES