RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL (Approving Deputation Agreement between the Bureau of Indian Affairs Law Enforcement Services and the Tohono O'odham Nation)

RESOLUTION NO. 06-286

1	WHEREAS,	pursuant to the Indian Law Enforcement Reform Act, 25 U.S.C. § 2801-2809, the
2		Secretary of the Interior, acting through the Bureau of Indian Affairs ("BIA"), is
3		responsible for providing, or assisting in providing, law enforcement in Indian
4		Country; and
5	WHEREAS,	the Secretary has delegated this authority to the Assistant Secretary - Indian Affairs
6		and the Assistant Secretary - Indian Affairs has re-delegated this authority to the
7		Director of the BIA, who has re-delegated it to the Deputy Bureau Director, Law
8		Enforcement Services, BIA; and
9	WHEREAS,	the Assistant Secretary - Indian Affairs is committed to working with tribal
10		governments and tribal law enforcement to strengthen law enforcement in Indian
11		country; and
12	WHEREAS,	on February 10, 2004, the Assistant Secretary - Indian Affairs articulated policy
13		guidance to the BIA - as published at 69 Federal Register page 6,321, to govern the
14		implementation of Special Law Enforcement Commission Deputation Agreements
15		with Indian tribes; and
16	WHEREAS,	this policy expressly lays out issues regarding good faith efforts on behalf of all parties
17		involved in the aforementioned agreements, including as they relate to liability; and
18	WHEREAS,	the Tohono O'odham Police Department ("TOPD") provides law enforcement services
19		to the Tohono O'odham Nation and has expressed a need to deputize its officers with
20		Special Law Enforcement Commissions so that TOPD officers can enforce a wide range
21		of federal criminal laws within the lands of the Tohono O'odham Nation, and seeks to
22		enter into a Deputation Agreement with the BIA Office of Law Enforcement Services;
23		and
24	WHEREAS,	the attached Deputation Agreement has been reviewed by the Domestic Affairs
25		Committee, which recommends approval by the Legislative Council.
26	NOW, THE	REFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approves
27		the Deputation Agreement Between the Bureau of Indian Affairs Law Enforcement

RESOLUTION NO. 06-286 (Approving Deputation Agreement between the Bureau of Indian Affairs Law Enforcement Services and the Tohono O'odham Nation) Page 2 of 3 1 Services and the Tohono O'odham Nation substantially in the form attached hereto, 2 and authorizes the Vice-Chairman of the Tohono O'odham Nation to execute it. 3 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 02ND. Day 4 of MAY, 2006 at a meeting at which a quorum was present with a vote of 2,273.4 FOR; -0- AGAINST; 5 <u>-0-</u> NOT VOTING; and <u>167.4 [05]</u> 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 6 7 O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary -8 Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 9 Stat. 984). 10 **TOHONO O'ODHAM LEGISLATIVE COUNCIL** 11 nelmora 12 Evelyn B. Juan Manuel, Legislative Chairwoman 13 14 15 day of May_, 2006 15 16 ATTEST: 17 18 Lucille Lopez, Acting Legislative Secretary 19 20 02 day of ______, 2006. 21 22 Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono 23 O'Odham Nation on the 15th day of Man, 2006 at 10.30 o'clock, A. M., 24 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective 25 upon her approval or upon her failure to either approve or disapprove it within 48 hours of 26 submittal. 27 28 **TOHONO O'ODHAM LEGISLATIVE COUNCIL** 29 30 31 Evelyn B. Juan Manuel, Legislative Chairwoman 32 33 on the 15 day of $\gamma / \mu \chi$, 2006 **APPROVED** 34 35 at 12:40 o'clock, **[] DISAPPROVED** 36 37 38 39 40 VIVIAN IUAN-SAUNDERS, CHAIRWOMAN **TOHONO O'ODHAM NATION** 41 42

	RESOLUTION NO. <u>06-286</u> (Approving Deputation Agreement between the Bureau of Indian Affairs Law Enforcement Services and the Tohono O'odham Nation) Page 3 of 3									
1	Returned to the Legislative Secretary on the $\frac{15}{5}$ day of									
2	Mar Burger									
3	, 2006, at o'clock,M.									
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6	Sum Jup Lucille Lopez, Acting Legislative Secretary									
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ACTION: APPROVING DEPUTATION AGREEMENT BETWEEN THE BUREAU OF INDIAN AFFAIRS LAW ENFORCEMENT SERVICES AND THE TOHONO O'ODHAM NATION

MOVED: COUNCILWOMAN GLORIA RAMIREZ

SECOND: VICE CHAIRMAN VERLON JOSE

DATE: MAY 02, 2006

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 310.8	 FRANCES MIGUEL (Vernon J. Smith) FRANCES G. ANTONE (Lucilda J. Valenzuela (Norris)) 	155.40 155.40	X X			
CHUKUT KUK 258.7	1. ETHEL GARCIA ()	129.35	X X			
	2. VERLON M. JOSE (David García)	129.35	A			
GU ACHI 221.6	 TIMOTHY L. JOAQUIN (Jonas Robles) CYNTHIA E. MANUEL 	110.80	X X			
	(Louis L. Johnson)	110.80				
GU VO 193.1	1. RAYMOND VICTOR () 2. MICHAEL FLORES (Grace Manuel)	96.55 96.55	x x			X
HICKIWAN	1. DELMA GARCIA (Mary E. Sam)	83.70				X
167.4	2. SANDRA ORTEGA ()	83.70				X
PISINEMO	1. BARBARA SALVICIO	85.90	X			X
171.8	2. GERALD FAYUANT	85.90	Х			
SAN LUCY 169.0	1. JOHN W. LAWSON, SR.	84.50	x			
109.0	2. GLORIA RÁMIREZ	84.50	X			
SAN XAVIER	1. FELICIA NUÑEZ	96.90	x			Х
193.8	2. OLIVIA VILLEGAS-LISTON (Eileen A. Estrada-Lopez)	96.90	X			
SCHUK TOAK	1. FRANCES B. CONDE	73.45	x			
146.9	2. PHYLLIS JUAN	73.45	X			
SELLS	1. MARLENE SARAFICIO-JUAN	210.50	x			
421.0	2. EVELYN B. JUAN MANUEL (Kimberly Listo)	210.50	x			
SIF OIDAK	1. WAVALENE SAUNDERS (Isidro Lopez)	93.35	x			
186.7	(Isidro Lopez) 2. DARLENE ANDREW (Rita Martinez)	93.35	x			
	TOTAL	2,440.80	2,273.4	-0-	-0-	167.4 [05]