

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Supporting the Tribal Selection of Data Sets for Allocation of Indian Housing
Block Grant Funds)

RESOLUTION NO. 07-107

- 1 **WHEREAS, the Tohono O'odham Legislative Council is constitutionally vested with all the**
2 **legislative powers of the Nation, and is specifically vested with the power to enact**
3 **ordinances "to promote, protect and provide for public health, peace, morals,**
4 **education and general welfare of the Tohono O'odham Nation and its members"**
5 **(Constitution of the Tohono O'odham Nation, Article V, Section 1; Article VI, Section**
6 **1 and Section 1(c)(2)); and**
- 7 **WHEREAS, the Council enacted Ordinance No. 98-03, "Establishment of Tohono O'odham Ki:Ki**
8 **Association" ("TOKA Ordinance"), thereby establishing the Tohono O'odham Ki:Ki**
9 **Association ("TOKA") and its five-member Board of Directors; and**
- 10 **WHEREAS, pursuant to the Native American Housing Assistance and Self-Determination Act of**
11 **1996 ("NAHASDA"), regulations were promulgated allowing United States**
12 **Department of Housing and Urban Development ("HUD") to use data obtained by the**
13 **United States Census Bureau in allocating Indian Housing Block Grant ("IHBG")**
14 **funds; and**
- 15 **WHEREAS, the Council has been advised by TOKA that a problem has arisen with the use by HUD**
16 **of data sets prepared by the United States Census Bureau; and**
- 17 **WHEREAS, prior to the Decennial Census of 2000, the Census forms forced individuals to choose**
18 **one race only in reporting personal data; and**
- 19 **WHEREAS, in 2000 the Census forms were modified to allow individuals to select more than one**
20 **race in reporting personal data; and**
- 21 **WHEREAS, the change in reporting personal data has resulted in two separate data sets, one**
22 **composed of data from individuals who reported being single race and one**
23 **composed of data from individuals who reported as being descended from more**
24 **than one race; and**
- 25 **WHEREAS, the existence of two different data sets has resulted in disputes among which data**
26 **more properly represents the number of Native Americans in a given area; and**
- 27 **WHEREAS, some tribal communities tend to benefit from the use of single-race data sets, and**
28 **others benefit from the use of multi-race data sets; and**
- 29 **WHEREAS, disputes and questions concerning these data sets have polarized the tribal**
30 **communities and has resulted in an invitation by HUD for submission of comments**
31 **on (1) the use of Census data in relation to the single-race/multi-race issue, and (2)**
32 **the use of a universal survey establishing criteria by which tribes would participate**
33 **in the determination of the Native American population; and**

1 WHEREAS, TOKA has prepared comments on the issue expressing its position that, because
2 determination of membership is in the sole discretion of the various tribes, each
3 tribe should be able to determine, in its sole discretion, which census data set or
4 other reliable information should be used to determine its funding and that the
5 implementation of a universal survey amounts to an attack on tribal sovereignty;
6 and

7 WHEREAS, the Council has reviewed such comments and agree with the contents thereof.

8 NOW, THEREFORE, BE IT RESOLVED that the Council hereby agrees with and supports the
9 comments prepared by TOKA regarding the single-race data sets and directs the
10 TOKA Board of Directors and the Executive Director to submit such comments to
11 HUD on behalf of the Tohono O'odham Nation, and its members.

12 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 20TH. Day
13 of FEBRUARY, 2007 at a meeting at which a quorum was present with a vote of 1,665.35 FOR; 84.5
14 AGAINST; 690.95 NOT VOTING; and 05 ABSENT, pursuant to the powers vested in the Council by
15 Section 1 of Article V and Section 1 (c)(2) of Article VI of the Constitution of the Tohono O'Odham
16 Nation, adopted by the Tohono O'Odham Nation on January 18, 1986; and approved by the Acting
17 Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16
18 of the Act of June 18, 1934 (48 Stat. 984).

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20 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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23 
24 Verlon M. Jose, Legislative Chairman

25
26 26 day of February, 2007
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29 ATTEST:

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33 Lucille Lopez, Acting Legislative Secretary

34
35 20 day of February, 2007.
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37 Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono
38 O'Odham Nation on the 26 day of February, 2007 at 11:28 o'clock,
39 A.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become
40 effective upon her approval or upon her failure to either approve or disapprove it within 48 hours
41 of submittal.
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RESOLUTION NO. 07-107

**(Supporting the Tribal Selection of Data Sets for Allocation of Indian Housing Block Grant Funds)
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TOHONO O'ODHAM LEGISLATIVE COUNCIL



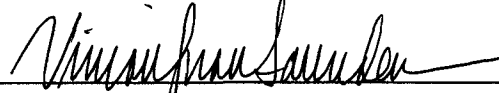
Verlon M. Jose, Legislative Chairman

APPROVED

on the 26 day of February, 2007

DISAPPROVED

at 7:21 o'clock, P.M.



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

Returned to the Legislative Secretary on the 27 day of

February, 2007, at 8:45 o'clock, A.M.



Lucille Lopez, Acting Legislative Secretary

ACTION: SUPPORTING THE TRIBAL SELECTION OF DATA SETS FOR ALLOCATION OF INDIAN HOUSING BLOCK GRANT FUNDS

MOVED: COUNCILWOMAN MARLENE SARAFICIO

SECOND: COUNCILWOMAN BARBARA SALVICIO

DATE: FEBRUARY 20, 2007

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 310.8	1. FRANCES MIGUEL (Vernon J. Smith)	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	X
	2. MICHAEL FLORES (Grace Manuel)	96.55			X	
HICKIWAN 167.4	1. SHIRLEY SANTOS-MOLINA ()	83.70	X			
	2. SANDRA ORTEGA ()	83.70	X			
PISINEMO 171.8	1. BARBARA SALVICIO ()	85.90	X			
	2. GERALD FAYUANT ()	85.90	X			X
SAN LUCY 169.0	1. LORRAINE EILER ()	84.50	X			
	2. GLORIA RAMIREZ ()	84.50		X		
SAN XAVIER 193.8	1. FELICIA NUÑEZ ()	96.90	X			
	2. OLIVIA VILLEGAS-LISTON (Eileen A. Estrada-Lopez)	96.90	X			X
SCHUK TOAK 146.9	1. FRANCES B. CONDE ()	73.45			X	
	2. PHYLLIS JUAN ()	73.45			X	X
SELLS 421.0	1. MARLENE SARAFICIO-JUAN ()	210.50	X			
	2. EVELYN B. JUAN MANUEL (Kimberly Listo)	210.50	X			
SIF Oidak 186.7	1. WAVALENE ROMERO (Isidro Lopez)	93.35	X			
	2. DARLENE ANDREW (Rita Wilson)	93.35	X			X
TOTAL		2,440.80	1,665.35	84.5	690.95	[05]

****PASSED VOTES**