

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Calling on the United States Congress to Restore Johnson O'Malley Program Funding)

RESOLUTION NO. 07-735

- 1 **WHEREAS, the Legislative Council is vested with the authority to provide “laws, ordinances, and**
2 **resolutions . . . to promote, protect, and provide for public health peace, morals,**
3 **education and general welfare of the Tohono O’odham Nation and its members” and**
4 **to consult with “federal agencies regarding federal activities that affect the Tohono**
5 **O’odham Nation” (Constitution of the Tohono O’odham Nation, Article VI, Section**
6 **1(c)(2) and (j)); and**
- 7 **WHEREAS, the Johnson O’Malley Act (“JOM”) was enacted in 1934 and allows the United States**
8 **government to meet its federal trust responsibilities to Indian tribes by providing**
9 **supplemental funds to address the unique educational and cultural needs of Indian**
10 **children attending state public schools; and**
- 11 **WHEREAS, JOM is designed to achieve maximum parental participation in development,**
12 **approval, and implementation of all JOM programs; and**
- 13 **WHEREAS, the academic, mental, social, spiritual, and physical well being of our students is our**
14 **highest priority; and**
- 15 **WHEREAS, our JOM students will one day be our tribal leaders and must be given the maximum**
16 **opportunity to receive a quality education that will enable them to bring about**
17 **positive change; and**
- 18 **WHEREAS, while the number of students eligible for JOM funding had increased steadily, JOM**
19 **funding has been frozen at 1995 levels; and**
- 20 **WHEREAS, President George W. Bush proposed the elimination of JOM funding in his FY 2008**
21 **federal budget; and**
- 22 **WHEREAS, federal budget cuts in Indian education programs are in direct violation of trust**
23 **responsibilities to Indian tribes; and**
- 24 **WHEREAS, on February 15, 2007 the National Congress of American Indians submitted testimony**
25 **to the Senate Committee on Indian Affairs supporting restoration of FY 2008 JOM**
26 **program funding; and**
- 27 **WHEREAS, the National Indian Education Association, National Johnson O’Malley Association**
28 **Board of Directors, and Congressional Native American Caucus have likewise**
29 **supported restoration of JOM funding in FY 2008; and**

RESOLUTION NO. 07-735

(Calling on the United States Congress to Restore Johnson O'Malley Program Funding)

Page 2 of 3

1 **WHEREAS, on June 27, 2007, the U.S. House of Representatives passed the Interior and**
2 **Environment Appropriations bill, restoring JOM assistance grants to the level of \$16.5**
3 **million and providing an additional \$7.7 million for JOM in the consolidated tribal**
4 **compact and governance budget for a total FY 2008 JOM appropriation of \$24.4**
5 **million; and**

6 **WHEREAS, on June 21, 2007 the U.S. Senate Committee on Appropriations passed the Interior and**
7 **Environment Appropriations Bill, partially restoring JOM education assistance grants**
8 **to the level of \$8.0 million with an additional \$6,689,000 for self-governance compacts**
9 **for a total of \$14,689,000 in FY 2008 JOM funding; and**

10 **WHEREAS, no bills funding JOM in FY 2008 have yet been enacted into law; and**

11 **WHEREAS, it is essential that such funding be fully restored so that Indian children do not**
12 **experience a lapse in the vital cultural, educational, tutorial and social programming**
13 **they receive through the myriad of JOM programs throughout the United States.**

14 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council supports full**
15 **JOM funding and calls on the United States Congress to**

- 16 **1. reinstate full JOM funding in the amount of \$24.2 Million into the BIA's FY 2008**
- 17 **budget as recommended by the U.S House of Representatives, and**
- 18 **2. fund FY 2009 JOM programs at the fiscal year 1995 funding level of \$24.3 Million.**
- 19 **3. determine JOM funding levels in subsequent fiscal years by a prescribed formula**
- 20 **based on updated JOM student counts.**

21 **BE IT FINALLY RESOLVED that the Tohono O'odham Legislative Council hereby authorizes the**
22 **Nation's Human Resources Development Committee and NCAI delegation to work with**
23 **federal officials, other tribes, and tribal organizations to obtain continued JOM**
24 **funding as provided herein.**

25 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 08TH. Day**
26 **of NOVEMBER, 2007 at a meeting at which a quorum was present with a vote of 2,534.5 FOR; -0-**
27 **AGAINST; -0- NOT VOTING; and [05] ABSENT, pursuant to the powers vested in the Council by**
28 **Section 1(c)(2) and (j) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by**
29 **the Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
30 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**
31 **18, 1934 (48 Stat. 984).**

32
33

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47

TOHONO O'ODHAM LEGISLATIVE COUNCIL


Verlon M. Jose, Legislative Chairman

9 day of November, 2007

ATTEST:


Lucille Lopez, Acting Legislative Secretary

08 day of November, 2007.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 9 day of November, 2007 at 1:23 o'clock, P.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective upon his approval or upon his failure to either approve or disapprove it within 48 hours of submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL


Verlon M. Jose, Legislative Chairman

APPROVED

on the 09 day of November, 2007

DISAPPROVED

at 1:24 o'clock, P.M.


NED NORRIS, JR., CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 09 day of

November, 2007, at 1:37 o'clock, P.M.


Lucille Lopez, Acting Legislative Secretary

ACTION: CALLING ON THE UNITED STATES CONGRESS TO RESTORE JOHNSON O'MALLEY PROGRAM FUNDING

MOVED: COUNCILWOMAN OLIVIA VILLEGAS-LISTON

SECOND: COUNCILWOMAN SANDRA ORTEGA

DATE: NOVEMBER 08, 2007

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 316.9	1. FRANCES MIGUEL (<i>Absent</i>) (Roberta Harvey) (<i>Present</i>)	158.45	X			X
	2. FRANCES G. ANTONE (<i>Absent</i>) (Vernon Smith) (<i>Present</i>)	158.45	X			
CHUKUT KUK 264.8	1. ETHEL GARCIA ()	132.40	X			
	2. VERLON M. JOSE ()	132.40	X			
GU ACHI 227.9	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	113.95	X			X
	2. CYNTHIA E. MANUEL ()	113.95	X			
GU VO 199.2	1. GRACE MANUEL ()	99.60	X			
	2. MICHAEL FLORES ()	99.60	X			X
HICKIWAN 172.0	1. MICHELLE ORTEGA ()	86.00	X			
	2. SANDRA ORTEGA ()	86.00	X			
PISINEMO 182.4	1. CHESTER ANTONE ()	91.20	X			
	2. GERALD FAYUANT ()	91.20	X			
SAN LUCY 181.1	1. LORRAINE EILER ()	90.55	X			
	2. GLORIA RAMIREZ ()	90.55	X			
SAN XAVIER 196.5	1. FELICIA NUÑEZ (Adam P. Andrews)	98.25	X			X
	2. OLIVIA VILLEGAS-LISTON (Eileen A. Estrada-Lopez)	98.25	X			
SCHUK TOAK 154.6	1. FRANCES B. CONDE (<i>Absent</i>) (Frederick Jose) (<i>Present</i>)	77.30	X			
	2. PHYLLIS CACHORA (Agnes Joaquin)	77.30	X			
SELLS 444.7	1. KIMBERLY LISTO ()	222.35	X			
	2. EVELYN B. JUAN MANUEL ()	222.35	X			
SIF OIDAK 194.4	1. WAVALENE ROMERO ()	97.20	X			X
	2. MARY LOPEZ ()	97.20	X			
TOTAL		2,534.5	2,534.5	-0-	-0-	[05]

**PASSED VOTES