

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving the FY 2009 Department of Health and Human Services Title IV-B,
Subparts 1 & 2 Budgets for Division of Child Welfare; and Approving the
10% Indirect Cost Rate for Title IV-B Budgets)

RESOLUTION NO. 08-277

1 **WHEREAS, the Tohono O'odham Nation has historically contracted certain functions from the**
2 **Department of Health and Human Services; and**

3 **WHEREAS, the Tohono O'odham Nation has operated and wishes to continue operating a Division**
4 **of Child Welfare Services to intervene against child abuse and neglect and to promote**
5 **safe and stable families; and**

6 **WHEREAS, the Title IV-B, Subparts 1 & 2 grants require a 25% match, which the Nation matches**
7 **through the P.L. 93-638 master contract, specifically the BIA Social Services budget for**
8 **child welfare services and the BIA ICWA budget for Family Preservation Program, as**
9 **authorized by both P.L. 93-638 and the Department of Health and Human Services; and**

10 **WHEREAS, these Title IV-B, Subparts 1 & 2 Budgets are authorized for only a two-year expenditure**
11 **period, beginning October 1, 2007 and ending September 30, 2009, funding only the**
12 **two fiscal years of FY 2008 and FY 2009; and**

13 **WHEREAS, the Department of Health and Human Services has provided estimated allocation**
14 **amounts for these budgets as:**

- 15 1. \$128,812.96 for Title IV-B, Subpart 1 Budget, Acct. 11-1337.
- 16 2. \$269,012.15 for Title IV-B, Subpart 2 Budget, Acct. 11-1338; and

17 **WHEREAS, the U.S. Department of Health and Human Services, Administration for Children and**
18 **Families (ACF), has notified the Department that The Child and Family Services**
19 **Improvement Act of 2006 (Public Law 109-288) restricts administrative costs to 10%**
20 **starting October 1, 2007 for these Title IV-B budgets, and the Department requests**
21 **approval to submit these budgets with the following restricted 10% amount for**
22 **indirect costs as:**

- 23 1. \$11,710.27 Indirect Costs for Title IV-B, Subpart 1 Budget, 11-1337.
- 24 2. \$21,578.56 Indirect Costs for Title IV-B, Subpart 2 Budget, 11-1338; and

25 **WHEREAS, the Executive Branch developed and obtained committee approval of the budgets**
26 **attached and incorporated by this reference, to be effective October 1, 2007 through**
27 **September 30, 2009 and requests authorization to expend funds over the fiscal year**
28 **of FY 2009.**

29 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council does hereby**
30 **approve and authorize the Executive Branch to expend funds for the budgets attached,**
31 **effective October 1, 2007 through September 30, 2009, in the following amounts:**

- 32 1. FY07 Title IV-B, Subpart 1 Budget, Acct. 11-1337 = \$128,812.96.
- 33 2. FY07 Title IV-B, Subpart 2 Budget, Acct. 11-1336 = \$269,012.15.

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1 **BE IT FURTHER RESOLVED that the Executive Branch is authorized to restrict the Indirect Costs**
2 **to 10% in Title IV-B budgets as required by The Child and Family Services**
3 **Improvement Act of 2006 (Public Law 109-288) in the following amounts:**

- 4 1. \$11,710.27 Indirect Costs for Title IV-B, Subpart 1 Budget, 11-1337.
5 2. \$21,578.56 Indirect Costs for Title IV-B, Subpart 2 Budget, Acct. 11-1338.

6 **BE IT FINALLY RESOLVED that the Tohono O'odham Nation's officials to wit: the Chairman and any**
7 **designated official are hereby authorized to negotiate, execute and expend the grant,**
8 **provided however, that any budget amendments affecting the funds or funding levels**
9 **shall be submitted for further prior approval by the Tohono O'odham Legislative**
10 **Council.**

11 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 27TH. Day**
12 **of MAY, 2008 at a meeting at which a quorum was present with a vote of 2,534.5 FOR; -0- AGAINST;**
13 **-0- NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by Section 1**
14 **(d)(2)&(3) and 1(f) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the**
15 **Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
16 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**
17 **18, 1934 (48 Stat. 984).**

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19 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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23 **Verlon M. Jose, Legislative Chairman**

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25 5 day of June, 2008

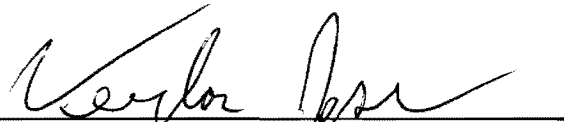
26 **ATTEST:**

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29 **Lucille Lopez, Acting Legislative Secretary**

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31 27 day of May, 2008.

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33 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham**
34 **Nation on the 5 day of June, 2008 at 1:11 o'clock, p.M.,**
35 **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective**
36 **upon his approval or upon his failure to either approve or disapprove it within 48 hours of**
37 **submittal.**

38 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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42 **Verlon M. Jose, Legislative Chairman**

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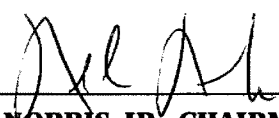
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APPROVED

on the 9 day of June, 2008

DISAPPROVED

at 10:35 o'clock, a.M.



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

Returned to the Legislative Secretary on the 09 day of

June, 2008, at 12:11 o'clock, P.M.



Lucille Lopez, Acting Legislative Secretary

ACTION: APPROVING THE FY 2009 DEPARTMENT OF HEALTH AND HUMAN SERVICES TITLE IV-B, SUBPARTS 1 & 2 BUDGETS FOR DIVISION OF CHILD WELFARE; AND APPROVING THE 10% INDIRECT COST RATE FOR TITLE IV-B BUDGETS

MOVED: COUNCILWOMAN CYNTHIA MANUEL

SECOND: COUNCILMAN TIMOTHY JOAQUIN

DATE: MAY 27, 2008

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 316.9	1. FRANCES MIGUEL (Roberta Harvey)	158.45	X			
	2. FRANCES G. ANTONE (Vernon Smith)	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			
	2. CYNTHIA E. MANUEL ()	113.95	X			
GU VO 199.2	1. GRACE MANUEL ()	99.60	X			
	2. (RAYMOND VICTOR) ()	99.60	X			
HICKIWAN 172.0	1. MICHELLE ORTEGA ()	86.00	X			
	2. SANDRA ORTEGA ()	86.00	X			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 (Frederick Jose)	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			
	2. MARY LOPEZ ()	97.20	X			
TOTAL		2,534.5	2,534.5	-0-	-0-	[02]

****PASSED VOTES**