

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving FY 2011 Bureau of Indian Affairs Budgets under the Nation's P.L. 93-638
Master Contract)**

RESOLUTION NO. 10-296

1 **WHEREAS, the Tohono O'odham Nation has historically contracted certain functions from the**
2 **Bureau of Indian Affairs under a P.L. 93-638 Master Contract; and**

3 **WHEREAS, in 2005, the Nation negotiated a P.L. 93-638 Master Contract with the Bureau of Indian**
4 **Affairs which remains in effect; and**

5 **WHEREAS, the Executive Branch has developed the following budgets for programs funded by the**
6 **BIA Master Contract effective October 1, 2010 through September 30, 2011 and**
7 **requests approval of the budgets and authorization to expend the funds as listed**
8 **below; and**

9 **WHEREAS, it is anticipated that the program budgets will be adjusted after Congress**
10 **appropriates funding for the Bureau of Indian Affairs for FY 2011 and the FY 2011**
11 **funding levels are provided to the Nation, and that those adjusted budgets will be**
12 **presented to the Legislative Council for approval; and**

13 **WHEREAS, in the event of a federal Continuing Resolution, the programs shall limit spending to**
14 **only essential Program services, functions and activities, and the Nation shall seek**
15 **reimbursement of all funds the Nation expends for continuation of BIA Programs**
16 **performed pursuant to the Master Contract.**

17 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approves the**
18 **BIA P.L. 93-638 contract program budgets listed herein, subject to negotiation and**
19 **execution of annual funding agreements with the Bureau of Indian Affairs, and**
20 **authorizes the programs to expend funds as budgeted:**

| PROGRAM | Base Allocation | IDC | Total |
|--|------------------------|----------------------|------------------------|
| Social Services | \$ 2,371,595.75 | \$ 143,182.14 | \$ 2,514,777.89 |
| Social Services Savings Carryover (Family Assistance) | \$ 112,683.01 | \$ 19,494.16 | \$ 132,177.17 |
| Adult Care Services | \$ 111,712.70 | \$ 19,326.30 | \$ 131,039.00 |
| ICWA-Family Preservation | \$ 170,538.00 | \$ 29,503.07 | \$ 200,041.07 |
| Individual with Disabilities Education ACT (IDEA) B | \$ 155,911.10 | \$ 26,364.07 | \$ 182,275.17 |
| Individuals with Disabilities Education ACT (IDEA) C | \$ 17,650.66 | \$ 2,478.94 | \$ 20,129.60 |
| Higher Education | \$ 692,975.00 | \$ 9,831.05 | \$ 702,806.05 |
| Johnson O'Malley | \$ 126,849.56 | \$ 17,681.34 | \$ 144,530.90 |
| Agriculture Extension (Veterinary and Animal Husbandry) | \$ 133,330.19 | \$ 11,544.32 | \$ 144,874.51 |

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| | | | | |
|----|---|-------------------------|------------------------|------------------------|
| 1 | Agriculture (Range Conservation) | \$ 597,237.00 | \$ 103,322.00 | \$ 700,559.00 |
| 2 | Water Resources | \$ 112,113.46 | \$ 19,395.63 | \$ 131,509.09 |
| 3 | Law Enforcement Services | \$ 4,416,563.30 | \$ 598,433.56 | \$ 5,014,996.86 |
| 4 | Ranger Program | \$ 960,855.10 | \$ 166,227.93 | \$ 1,127,083.03 |
| 5 | Corrections Program | \$ 2,534,931.02 | \$ 430,017.81 | \$ 2,964,948.83 |
| 6 | Wildland Fire Management | | | |
| 7 | (Preparedness) | \$ 196,163.00 | \$ 33,330.70 | \$ 229,493.70 |
| 8 | Kitt Peak WUI | \$ 328,501.28 | \$ 25,171.72 | \$ 353,673.00 |
| 9 | Economic Development (CREDIT & | | | |
| 10 | FINANCE) | \$ 237,770.29 | \$ 40,988.94 | \$ 278,759.23 |
| 11 | Real Estate Services (Realty Office) | \$ 26,493.84 | \$ 4,583.43 | \$ 31,077.27 |
| 12 | JUDICIAL SERVICES | \$ 300,476.00 | \$ 51,055.02 | \$ 351,531.02 |
| 13 | TOTAL | \$ 13,604,350.26 | \$ 1,751,932.13 | \$15,356,282.39 |

14 **BE IT FURTHER RESOLVED** by the Tohono O'odham Legislative Council that any amendments to
15 the budgets approved pursuant to this resolution that affect the funds or funding
16 levels of the budgets shall be submitted for further prior approval by the Tohono
17 O'odham Legislative Council.

18 **BE IT FURTHER RESOLVED** by the Tohono O'odham Legislative Council that the programs shall
19 limit spending to only essential Program services, functions and activities pending
20 federal appropriations and the Nation shall seek reimbursement of all funds the
21 Nation expends for continuation of BIA Programs performed pursuant to the Master
22 Contract.

23 **BE IT FINALLY RESOLVED** by the Tohono O'odham Legislative Council that the Tohono O'odham
24 Nation's Chairman is authorized to negotiate and execute the FY2011 Annual Funding
25 Agreement with the Bureau of Indian Affairs.

26 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 29TH Day
27 of JULY, 2010 at a meeting at which a quorum was present with a vote of 2,396.80 FOR; 0- AGAINST;
28 198.70[02]NOT VOTING; and[05] ABSENT, pursuant to the powers vested in the Council by Article
29 VI, Section 1 (d)(3)&(f) of the Constitution of the Tohono O'odham Nation, adopted by the Tohono
30 O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary -
31 Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48
32 Stat. 984).

33
34 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

35
36
37 *Felicia Munoz, for*
38 **Verlon M. Jose, Legislative Chairman**

39
40 *6th* day of *August*, 2010
41

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ATTEST:

Evonne Wilson
Evonne Wilson, Legislative Secretary

5 day of August, 2010.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 6th day of August, 2010 at 11:10 o'clock, a.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

Felicia Nunez
Verlon M. Jose, Legislative Chairman

APPROVED

on the 06 day of August, 2010

DISAPPROVED

at 12:30 o'clock, P.M.

Ned Norris, Jr.
NED NORRIS, JR., CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 6 day of

August, 2010, at 4:09 o'clock, p.M.

Evonne Wilson
Evonne Wilson, Legislative Secretary

ACTION: APPROVING FY 2011 BUREAU OF INDIAN AFFAIRS BUDGETS UNDER THE NATION'S P.L. 93-638 MASTER CONTRACT

MOVED: COUNCILWOMAN OLIVIA VILLEGAS-LISTON SECOND: COUNCILWOMAN EVELYN JUAN MANUEL

DATE: JULY 29, 2010

| DISTRICT | LEGISLATIVE REPRESENTATIVES | # OF VOTES | FOR | AGAINST | NOT VOTING | ABSENT |
|----------------------|---|-----------------|-----------------|------------|------------------------------|-------------|
| SIF OIDAK 198.7 | 1. WAVALENE ROMERO (Nicholas Jose) | 99.35 | | | X | X |
| | 2. MARY LOPEZ () | 99.35 | | | X | |
| SELLS 449.6 | 1. KIMBERLY LISTO () | 224.80 | X | | | |
| | 2. EVELYN B. JUAN MANUEL () | 224.80 | X | | | |
| SCHUK TOAK 159.0 | 1. FRANCES B. CONDE (Fredrick Jose) | 79.50 | X | | | |
| | 2. LINDA PARLEY (Agnes Joaquin) | 79.50 | X | | | |
| SAN XAVIER 204.7 | 1. FELICIA NUÑEZ () | 102.35 | X | | | |
| | 2. OLIVIA VILLEGAS-LISTON (Eugene Enis) | 102.35 | X | | | |
| SAN LUCY 187.1 | 1. LORRAINE EILER () | 93.55 | X | | | X |
| | 2. GLORIA RAMIREZ () | 93.55 | X | | | |
| PISINEMO 184.5 | 1. CHESTER ANTONE <i>(Absent)</i> (Tony Murrietta) <i>(Present)</i> | 92.25 | X | | | |
| | 2. EDWARD MANUEL (Gerald Fayuant) | 92.25 | X | | X | |
| HICKIWAN 174.5 | 1. MICHELLE ORTEGA () | 87.25 | X | | | |
| | 2. SANDRA ORTEGA () | 87.25 | X | | | X |
| GU VO 206.3 | 1. GRACE MANUEL () | 103.15 | X | | | X |
| | 2. PAMELA ANGHILL (Angela Ortiz) | 103.15 | X | | | |
| GU ACHI 230.1 | 1. TIMOTHY L. JOAQUIN () | 115.05 | X | | | |
| | 2. CYNTHIA E. MANUEL () | 115.05 | X | | | X |
| CHUKUT KUK 277.0 | 1. ETHEL GARCIA (Sara Mae Williams) | 138.50 | X | | | |
| | 2. VERLON M. JOSE () | 138.50 | X | | | |
| BABOQUIVARI 324.0 | 1. FRANCES MIGUEL <i>(Absent)</i> (Roberta Harvey) <i>(Present)</i> | 162.0 | X | | | |
| | 2. FRANCES G. ANTONE <i>(Absent)</i> (Vernon Smith) <i>(Present)</i> | 162.0 | X | | | |
| TOTAL | | 2,595.50 | 2,396.80 | -0- | 198.70 -02- | [05] |