

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Authorizing Planning and Evaluation by the Tohono O'odham Nation to Assume
Remaining Federal Programs, Functions, Services and Activities Carried Out
by the Indian Health Service for or in Support of the Nation, Together with
Associated Tribal Shares)

RESOLUTION NO. 15-111

1 **WHEREAS, the Legislative Council has the authority “to promote, protect and provide for**
2 **public health, peace, morals, education and general welfare of the Tohono**
3 **O'odham Nation and its members” and to “consult, negotiate and conclude**
4 **agreements and contracts on behalf of the Tohono O'odham Nation (“Nation”)**
5 **with Federal, State and local governments” (Constitution, Article VI, Section**
6 **1(c)(2) and Section 1(f)); and**

7 **WHEREAS, The Indian Self-Determination and Education Assistance Act of 1975 (P.L 93-638;**
8 **25 U.S.C. § 450 et seq.) authorizes the Nation to assume federal programs,**
9 **functions, services or activities (“PFSAs”) by compact pursuant to Title V (Self-**
10 **Governance) with the Secretary of the U.S. Department of Health and Human**
11 **Services; and**

12 **WHEREAS, the Nation has entered into Contract No. HHS1249200400001C with the**
13 **Secretary of the U.S. Department of Health and Human Services for the**
14 **management of certain health services; and**

15 **WHEREAS, the Tucson Area Office and the Sells Service Unit, including but not limited to**
16 **the Sells Hospital, the San Simon Health Center, the San Xavier Health Center,**
17 **and the Santa Rosa Health Center, are responsible for delivering critical**
18 **healthcare resources to the Nation’s citizens; and**

19 **WHEREAS, it is in the best interest of the Tohono O'odham Nation to put the Indian Health**
20 **Service (“IHS”) on notice that the Nation will begin incurring pre-award costs**
21 **associated with assessing the feasibility of compacting to assume operation of**
22 **PFSAs currently performed by the IHS for the benefit of the Nation at the Service**
23 **Unit, Area and Headquarters levels, along with associated tribal shares.**

24 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council authorizes**
25 **the Nation’s Chairperson as follows:**

- 26 **1. To notify the IHS of the Nation’s intent to engage in planning and**
27 **evaluation of all of the PFSAs that benefit the Nation including**
28 **submitting a pre-award cost proposal; and**

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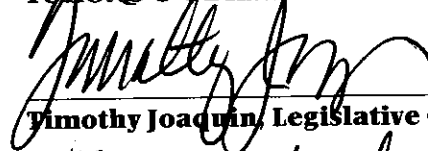
(Authorizing Planning and Evaluation by the Tohono O'odham Nation to Assume Remaining Federal Programs, Functions, Services and Activities Carried Out by the Indian Health Service for or in Support of the Nation, Together with Associated Tribal Shares)

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- 1 2. To obtain the necessary documentation from the IHS including all
2 available historic, financial, narrative and documentary information
3 regarding all PFSAs provided to or in support of the Nation; and
4 3. To begin incurring pre-award costs associated with assessing the
5 feasibility of compacting to assume operation of PFSAs currently
6 performed by the IHS for the benefit of the Nation.

7 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 13TH
8 day of APRIL, 2015 at a meeting at which a quorum was present with a vote of 2,946.5 FOR; -0-
9 AGAINST; -0- NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by
10 Article VI, Sections 1(c)(2) and 1(f) of the Constitution of the Tohono O'odham Nation, adopted
11 by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy
12 Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the
13 Act of June 18, 1934 (48 Stat.984).

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16 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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19 _____
20 Timothy Joaquin, Legislative Chairman

21 17 day of April, 2015
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27 ATTEST:


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30 Evonne Wilson, Legislative Secretary

31 17 day of April, 2015
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34 Said Resolution was submitted for approval to the office of the Chairman of the Tohono
35 O'odham Nation on the 17 day of April, 2015 at 5:05 o'clock, P .m.,
36 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become
37 effective upon his approval or upon his failure to either approve or disapprove it within 48
38 hours of submittal.

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40 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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43 Timothy Joaquin, Legislative Chairman
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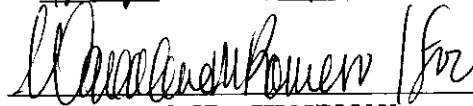
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APPROVED

on the 30 day of April, 2015

DISAPPROVED

at 12:17 o'clock, P.m.



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

Returned to the Legislative Secretary on the 30 day of

April, 2015, at 12:27 o'clock, P.m.



Evonne Wilson, Legislative Secretary

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ACTION: AUTHORIZING PLANNING AND EVALUATION BY THE TOHONO O'ODHAM NATION TO ASSUME REMAINING FEDERAL PROGRAMS, FUNCTIONS, SERVICES AND ACTIVITIES CARRIED OUT BY THE INDIAN HEALTH SERVICE FOR OR IN SUPPORT OF THE NATION, TOGETHER WITH ASSOCIATED TRIBAL SHARES

MOVED: COUNCILWOMAN SANDRA ORTEGA

SECOND: COUNCILMAN VERNON J. SMITH

DATE: APRIL 13, 2015

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 224.2	1. LUCINDA ALLEN (Nicholas Jose)	112.1	X			
	2. MARY LOPEZ ()	112.1	X			X
SELLS 502.0	1. ARTHUR WILSON (Ophelia Patten)	251.0	X			
	2. BARBARA HAVIER (Beverly Rivas)	251.0	X			
SCHUK TOAK 174.2	1. FRANCES B. STEPHENS (Anthony J. Rios)	87.1	X			X
	2. QUINTIN C. LOPEZ (John Fendenheim)	87.1	X			
SAN XAVIER 224.2	1. HILARION CAMPUS (Daniel L.A. Preston, III)	112.1	X			
	2. RACHEAL VILSON-STONER (Olivia Villegas-Liston)	112.1	X			
SAN LUCY 219.6	1. DIANA MANUEL (Gloria Ramirez)	109.8	X			
	2. JANA MONTANA ()	109.8	X			
PISINEMO 210.6	1. CHESTER ANTONE (Tony Murrletta)	105.3	X			
	2. EDWARD MANUEL, SR. ()	105.3	X			
HICKIWAN 196.9	1. LOUIS R. LOPEZ ()	98.45	X			
	2. SANDRA ORTEGA (Manuel Osequeda, Jr.)	98.45	X			
HIA CED 19.6	1. PATRICK ANDREWS (Janice E. Paul)	9.8	X			
	2. VIRGINIA GARCIA ()	9.8	X			X
GU VO 241.0	1. GRACE MANUEL (Floyd Flores)	120.5	X			
	2. PAMELA ANGHILL (Jeffery Antone, Sr.)	120.5	X			
GU ACHI 257.3	1. TIMOTHY L. JOAQUIN ()	128.65	X			
	2. LORETTA LEWIS (Louis Johnson)	128.65	X			
CHUKUT KUK 319.2	1. ETHEL GARCIA (Marlakay C. Henry)	159.6	X			
	2. BILLMAN LOPEZ ()	159.6	X			
BABOQUIVARI 357.7	1. FRANCES MIGUEL (<i>Absent</i>) (Roberta Harvey) (<i>Present</i>)	178.85	X			
	2. VERNON J. SMITH (Gloria Zazueta)	178.85	X			
TOTAL		2,946.5	2,946.5	-0-	-0-	[03]