

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Authorizing Federal Agencies Responsible for Administering Federally Sponsored
Loan Programs to Access Mortgaged Properties on Nation's Lands and Affirming
Importance of Maintaining and Enforcing Program Requirements)**

RESOLUTION NO. 15-213

1 **WHEREAS, the Nation's Constitution vests the Tohono O'odham Legislative Council with the**
2 **authority to "promote, protect and provide for public health, peace, morals,**
3 **education and general welfare of the Tohono O'odham Nation and its members"**
4 **(Constitution, Article VI, Section 1(c)(2)); and**

5 **WHEREAS, the United States Department of Housing and Urban Development ("HUD"), the**
6 **United States Department of Veterans Affairs ("VA"), and the United States**
7 **Department of Agriculture ("USDA") all provide certain federally sponsored**
8 **home loan programs, which encourage homeownership in Indian Country; and**

9 **WHEREAS, federally sponsored loan programs offer a wide variety of benefits such as low,**
10 **fixed interest rates, and reduced down payments, all of which would benefit the**
11 **Nation's members and housing construction within the exterior boundaries of**
12 **the Nation; and**

13 **WHEREAS, while tribal nations are encouraged to participate in these beneficial programs,**
14 **certain tribal laws and procedures must first be in place before tribal members**
15 **may access such programs for on-reservation housing; and**

16 **WHEREAS, through the years, the Legislative Council Housing Committee has worked**
17 **collaboratively with HUD's Southwest Office of Native American Programs to**
18 **identify Nation's laws, which satisfy the requirements for federally sponsored**
19 **loan programs such as foreclosure and eviction procedures, first lien priority,**
20 **and jurisdiction over tribal trust land; and**

21 **WHEREAS, the Housing Committee has also identified tribal legislation necessary to**
22 **participate in federally sponsored loan programs, including the Residential**
23 **Land Lease law and certain amendments to the Nation's Housing Code; and**

24 **WHEREAS, it is in the Nation's best interest to authorize federal agencies responsible for**
25 **administering federally sponsored loan programs to access mortgaged**
26 **properties on Nation's lands; and**

27 **WHEREAS, the Housing Committee recommends that the Legislative Council affirm to the**
28 **federal agencies offering federally sponsored home loan programs, which**
29 **include HUD, VA, and USDA, that the Nation understands the importance of**
30 **maintaining and enforcing program requirements, including but not limited to**
31 **foreclosure and eviction, and residential land leasing provisions.**
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1 **NOW, THEREFORE, BE IT RESOLVED** by the Tohono O'odham Legislative Council that subject to
2 **Legislative Council approval of Section 184 related legislation, it authorizes**
3 **HUD, VA, and USDA, the federal agencies responsible for administering federally**
4 **sponsored loan programs, to access mortgaged properties on Nation's lands;**
5 **provided that the federal agencies shall give reasonable notice to the Nation and**
6 **respective district prior to entering Nation's lands.**

7 **BE IT FINALLY RESOLVED** by the Tohono O'odham Legislative Council that it affirms to the
8 **federal agencies offering federally sponsored home loan programs, which**
9 **include HUD, VA, and USDA, that the Nation understands the importance of**
10 **maintaining and enforcing program requirements, including but not limited to**
11 **foreclosure and eviction, and residential land leasing provisions.**

12 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 27TH**
13 **day of MAY, 2015 at a meeting at which a quorum was present with a vote of 2,430.05 FOR;**
14 **496.85 AGAINST; -0- NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the**
15 **Council by Article VI, Section 1(c)(2) of the Constitution of the Tohono O'odham Nation,**
16 **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**
18 **16 of the Act of June 18, 1934 (48 Stat.984).**

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20 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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24 **Timothy Joaquin, Legislative Chairman**

25 3 day of June, 2015

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30 **ATTEST:**

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33 **Evonne Wilson, Legislative Secretary**

34 2 day of June, 2015

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37 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono**
38 **O'odham Nation on the 3 day of June, 2015 at 12:09 o'clock, P .m.,**
39 **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become**
40 **effective upon his approval or upon his failure to either approve or disapprove it within 48**
41 **hours of submittal.**
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TOHONO O'ODHAM LEGISLATIVE COUNCIL


Timothy Joaquin, Legislative Chairman

APPROVED

on the 03 day of June, 2015

DISAPPROVED

at 12:40 o'clock, P.m.


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

Returned to the Legislative Secretary on the 3 day of

June, 2015, at 1:49 o'clock, P.m.


Evonne Wilson, Legislative Secretary

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ACTION: AUTHORIZING FEDERAL AGENCIES RESPONSIBLE FOR ADMINISTERING FEDERALLY SPONSORED LOAN PROGRAMS TO ACCESS MORTGAGED PROPERTIES ON NATION'S LANDS AND AFFIRMING IMPORTANCE OF MAINTAINING AND ENFORCING PROGRAM REQUIREMENTS

MOVED: COUNCILMAN BILLMAN LOPEZ

SECOND: COUNCILWOMAN BARBARA HAVIER

DATE: MAY 27, 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			
SELLS 502.0	1. ARTHUR WILSON (Ophelia Patten)	251.0	X			
	2. BARBARA HAVIER (Beverly Rivas)	251.0	X			
SCHUK TOAK 174.2	1. 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 (<i>Absent</i>) (Olivia Villegas-Liston) (<i>Present</i>)	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 Murrietta)	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			
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 (Roberta Harvey)	178.85	X			
	2. VERNON J. SMITH (Gloria Zazueta)	178.85	X			
TOTAL		2,926.9	2,430.05	496.85	-0-	[01]