

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Approving Intergovernmental Personnel Act Agreement and Memorandums  
of Agreement with IHS Employees)**

**RESOLUTION NO. 16-075**

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

7 **WHEREAS, the Tohono O'odham Nation ("Nation") has historically contracted for certain**  
8 **federal programs, functions, services or activities ("PFSAs") of the Indian Health**  
9 **Service ("IHS") pursuant to the authority conferred on the Nation by the Indian**  
10 **Self-Determination and Education Assistance Act of 1975 (P.L. 93-638; 25 U.S.C. §**  
11 **450 *et seq.*); and**

12 **WHEREAS, in Resolution No. 15-365, the Legislative Council authorized the assumption of**  
13 **remaining federal programs, functions, services, and activities carried out by**  
14 **the IHS for or in support of the Nation; and**

15 **WHEREAS, the Nation is engaged in negotiating and implementing a self-governance**  
16 **compact with the Indian Health Service for the operation of the Sells Service**  
17 **Unit and related Area and Headquarters functions; and**

18 **WHEREAS, the Nation intends to enter into Intergovernmental Personnel Act agreements in**  
19 **accordance with 5 U.S.C. § 3371-3376 or Memorandums of Agreement in**  
20 **accordance with P.L. 93-638, Section 104(B) for IHS employees; and**

21 **WHEREAS, the Health and Human Services Committee has reviewed the resolution and**  
22 **model agreements and recommends approval.**

23 **NOW, THEREFORE, BE IT RESOLVED the Tohono O'odham Legislative Council approves the**  
24 **model Intergovernmental Personnel Act Agreement and Memorandum of**  
25 **Agreement for IHS employees substantially in accordance with the model forms**  
26 **attached hereto and authorizes the Chairman of the Nation to execute the**  
27 **appropriate agreements with IHS employees and to take any other action**  
28 **required to carry out the intent of this resolution, provided that such**  
29 **Intergovernmental Personnel Act Agreements and Memorandums of Agreement**

**RESOLUTION NO. 16-075**

**(Approving Intergovernmental Personnel Act Agreement and Memorandums of Agreement with IHS Employees)**

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will not take effect unless the Legislative Council has authorized the self-governance compact with IHS.

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 17<sup>TH</sup> day of FEBRUARY, 2016 at a meeting at which a quorum was present with a vote of 3,021,4 FOR; -0- AGAINST; -0- NOT VOTING; and [06] ABSENT, pursuant to the powers vested in the Council by Article VI, Section 1(c)(2) & 1(f) of the Constitution of the Tohono O'odham Nation, adopted by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat.984).

TOHONO O'ODHAM LEGISLATIVE COUNCIL

 FOR  
Timothy Joaquin, Legislative Chairman

18 day of February, 2016

ATTEST:

  
Evonne Wilson, Legislative Secretary

18 day of February, 2016

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 18 day of February, 2016 at 10:19 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

 FOR  
Timothy Joaquin, Legislative Chairman

APPROVED

on the 18 day of February, 2016

DISAPPROVED

at 4:56 o'clock, p.m.

  
EDWARD D. MANUEL, CHAIRMAN  
TOHONO O'ODHAM NATION

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**(Approving Intergovernmental Personnel Act Agreement and Memorandums of Agreement with IHS Employees)**

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Returned to the Legislative Secretary on the 19 day of  
January, 2016, at 9:35 o'clock, a.m.

  
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**Evonne Wilson, Legislative Secretary**

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**ACTION: APPROVING INTERGOVERNMENTAL PERSONNEL ACT AGREEMENT AND MEMORANDUMS OF AGREEMENT WITH IHS EMPLOYEES**

**MOTION: COUNCILMAN DANIEL PRESTON, III**

**SECOND: COUNCILMAN CHESTER ANTONE**

**DATE: FEBRUARY 17, 2016**

| DISTRICT             | LEGISLATIVE REPRESENTATIVES   | # OF VOTES     | FOR            | AGAINST    | NOT VOTING | ABSENT      |
|----------------------|---|----------------|----------------|------------|------------|-------------|
| BABOQUIVARI<br>367.2 | 1. FRANCES MIGUEL<br>(Roberta E. Harvey)  | 183.60         | X              |            |            |             |
|                      | 2. VERNON J. SMITH<br>(Gloria Zazueta)  | 183.60         | X              |            |            |             |
| CHUKUT KUK<br>332.1  | 1. ETHEL GARCIA<br>(Marlakay K. Henry)  | 166.05         | X              |            |            |             |
|                      | 2. BILLMAN LOPEZ<br>(Patricia Vicenti)  | 166.05         | X              |            |            |             |
| GUACHI<br>265.0      | 1. TIMOTHY L. JOAQUIN<br>(Louis L. Johnson)   | 132.50         | X              |            |            |             |
|                      | 2. LORETTA LEWIS<br>( )   | 132.50         | X              |            |            |             |
| GU VO<br>250.6       | 1. GRACE MANUEL<br>(Dallas Lewis)   | 125.30         | X              |            |            |             |
|                      | 2. PAMELA ANGHILL ( <i>Absent</i> )<br>(Jeffery Antone, Sr.) ( <i>Present</i> )           | 125.30         | X              |            |            | X           |
| HICKIWAN<br>205.8    | 1. LOUIS R. LOPEZ<br>(Shirley Molina)   | 102.90         | X              |            |            |             |
|                      | 2. SANDRA ORTEGA<br>( )   | 102.90         | X              |            |            | X           |
| PISINEMO<br>219.9    | 1. CHESTER ANTONE<br>( )  | 109.95         | X              |            |            |             |
|                      | 2. MONICA K. MORGAN<br>( )  | 109.95         | X              |            |            |             |
| SAN LUCY<br>226.5    | 1. DIANA MANUEL<br>( )  | 113.25         | X              |            |            | X           |
|                      | 2. JANA MONTANA<br>(Gloria Ramirez)   | 113.25         | X              |            |            |             |
| SAN XAVIER<br>228.6  | 1. DANIEL L.A. PRESTON III<br>( )   | 114.30         | X              |            |            |             |
|                      | 2. RACHEAL VILSON-STONER ( <i>Absent</i> )<br>(Olivia Villegas-Liston) ( <i>Present</i> ) | 114.30         | X              |            |            | X           |
| SCHUK TOAK<br>180.6  | 1. ANTHONY J. FRANCISCO JR.<br>( )  | 90.30          | X              |            |            |             |
|                      | 2. QUINTIN C. LOPEZ ( <i>Absent</i> )<br>(John Fendenheim) ( <i>Present</i> )             | 90.30          | X              |            |            | X           |
| SELLS<br>513.5       | 1. ARTHUR WILSON<br>(Beverly Rivas)   | 256.75         | X              |            |            |             |
|                      | 2. BARBARA HAVIER<br>( )  | 256.75         | X              |            |            |             |
| SIF OIDAK<br>231.6   | 1. LUCINDA ALLEN<br>(Nicholas Jose)   | 115.80         | X              |            |            |             |
|                      | 2. MARY LOPEZ<br>( )  | 115.80         | X              |            |            | X           |
| <b>TOTAL</b>         |   | <b>3,021.4</b> | <b>3,021.4</b> | <b>-0-</b> | <b>-0-</b> | <b>[06]</b> |