

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Urging the Continued Meaningful Implementation of Executive Order 13175**  
**"Consultation and Coordination with Indian Tribal Governments")**

**RESOLUTION NO. 16-213**

1 **WHEREAS,** the Constitution of the Tohono O'odham Nation vests the Legislative Council with  
2 the 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 and to "consult with the Congress of the United States and appropriate federal  
5 agencies regarding federal activities that affect the Tohono O'odham Nation. . ."  
6 (Constitution, Article VI, Section 1(c)(2) and Section 1(j)); and

7 **WHEREAS,** sovereign Indian tribes, including the Tohono O'odham Nation, share a unique  
8 trust relationship with the United States of America, which is embodied in the  
9 Constitution of the United States, numerous court opinions, statutes, executive  
10 orders, and federal agency policies; and

11 **WHEREAS,** by its passage and implementation of the Indian Self-Determination and  
12 Education Assistance Act (25 U.S.C. § 450 et seq.) and similar legislation, the  
13 United States of America has recognized the need to work with Indian tribes on a  
14 government-to-government basis and to support Indian tribal self-  
15 determination and self-governance; and

16 **WHEREAS,** Executive Order 13175 "Consultation and Coordination with Indian Tribal  
17 Governments" ("Consultation Order"), mandates that Executive Branch agencies  
18 ensure meaningful and timely input by tribal officials when formulating and  
19 implementing policies or taking other actions that have substantial direct effects  
20 on one or more Indian tribes; and

21 **WHEREAS,** President Barack H. Obama's November 5, 2009 Presidential Memorandum on  
22 Tribal Consultation ("Presidential Memorandum") committed executive  
23 departments and agencies "to regular and meaningful consultation and  
24 collaboration with tribal officials in policy decisions that have tribal  
25 implications" in order to strengthen the government-to-government  
26 relationship between the United States and Indian tribes; and

27 **WHEREAS,** the Presidential Memorandum also recognizes that "failure to include the voices  
28 of tribal officials in formulating policy affecting their communities has all too  
29 often led to undesirable and, at times, devastating and tragic results"; and

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1 **WHEREAS, with less than a full year left for President Obama's administration, the Tohono**  
2 **O'odham Nation is concerned about the continued meaningful implementation**  
3 **of the Consultation Order and Presidential Memorandum, which have both**  
4 **greatly benefitted tribal nations and strengthened the government-to-**  
5 **government relationship between the federal government and tribal nations;**  
6 **and**

7 **WHEREAS, the Legislative Health and Human Services Committee strongly recommends**  
8 **unifying all tribal nations at the National Congress of American Indians' ("NCAI")**  
9 **2016 Mid-Year Conference and Marketplace to advocate for the continued**  
10 **meaningful implementation of the Consultation Order and Presidential**  
11 **Memorandum by the next presidential administration.**

12 **NOW, THEREFORE, BE IT RESOLVED by the Tohono O'odham Legislative Council that it urges the**  
13 **continued meaningful implementation of the Consultant Order and Presidential**  
14 **Memorandum by the next presidential administration.**

15 **BE IT FURTHER RESOLVED by the Tohono O'odham Legislative Council that it authorizes and**  
16 **directs the Nation's delegation to the National Congress of American Indians'**  
17 **2016 Mid-Year Conference and Marketplace to submit this resolution to NCAI for**  
18 **its approval.**

19 **BE IT FINALLY RESOLVED by the Tohono O'odham Legislative Council that it authorizes and**  
20 **directs the Nation's Chairman or official designee to advocate the Nation's**  
21 **positions expressed in this resolution to appropriate federal departments,**  
22 **agencies, or members of Congress.**

23 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 26<sup>TH</sup>**  
24 **day of MAY, 2016 at a meeting at which a quorum was present with a vote of 2,792.8 FOR; -0-**  
25 **AGAINST; -0- NOT VOTING; and 228.6 [06] ABSENT, pursuant to the powers vested in the Council**  
26 **by Article VI, Section 1(c)(2) and Section 1(j) of the Constitution of the Tohono O'odham Nation,**  
27 **adopted by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy**  
28 **Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the**  
29 **Act of June 18, 1934 (48 Stat.984).**  
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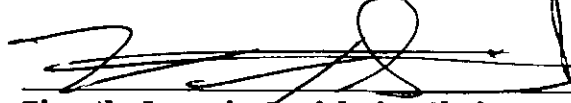
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**(Urging the Continued Meaningful Implementation of Executive Order 13175 "Consultation and Coordination with Indian Tribal Governments")**

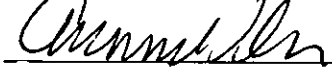
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**TOHONO O'ODHAM LEGISLATIVE COUNCIL**

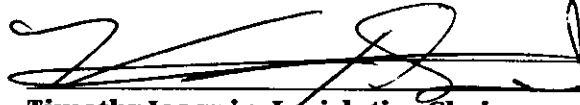
  
FOR  
Timothy Joaquin, Legislative Chairman  
27<sup>TH</sup> day of May, 2016

**ATTEST:**

  
Evonne Wilson, Legislative Secretary  
27 day of May, 2016

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 27 day of May, 2016 at 4:50 o'clock, p.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 27 day of May, 2016

**DISAPPROVED**

at 5:04 o'clock, p.m.

  
EDWARD D. MANUEL, CHAIRMAN  
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 27 day of

May, 2016, at 6:00 o'clock, p.m.

  
Evonne Wilson, Legislative Secretary

**ACTION: URGING THE CONTINUED MEANINGFUL IMPLEMENTATION OF EXECUTIVE ORDER 13175  
"CONSULTATION AND COORDINATION WITH INDIAN TRIBAL GOVERNMENTS"**

**MOVED: COUNCILMAN CHESTER ANTONE**

**SECOND: COUNCILMAN ARTHUR WILSON**

**DATE: MAY 26, 2016**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 367.2	1. FRANCES MIGUEL ( <i>Absent</i> ) (Roberta E. Harvey) ( <i>Present</i> )	183.60	X			
	2. VERNON J. SMITH (Gloria Zazueta)	183.60	X			
CHUKUT KUK 332.1	1. ETHEL GARCIA (Marlakay K. Henry)	166.05	X			X
	2. BILLMAN LOPEZ (Patricia Vicenti)	166.05	X			
GUACHI 265.0	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	132.50	X			
	2. LORETTA LEWIS ( )	132.50	X			X
GU VO 250.6	1. GRACE MANUEL (Dallas Lewis)	125.3	X			
	2. PAMELA ANGHILL ( <i>Absent</i> ) (Jeffery Antone, Sr.) ( <i>Present</i> )	125.3	X			X
HICKIWAN 205.8	1. LOUIS R. LOPEZ (Shirley Molina)	102.90	X			
	2. SANDRA ORTEGA ( )	102.90	X			
PISINEMO 219.9	1. CHESTER ANTONE ( )	109.95	X			
	2. MONICA K. MORGAN ( )	109.95	X			
SAN LUCY 226.5	1. DIANA MANUEL ( )	113.25	X			
	2. JANA MONTANA ( <i>Absent</i> ) (Gloria Ramirez) ( <i>Present</i> )	113.25	X			
SAN XAVIER 228.6	1. DANIEL L.A. PRESTON III ( )	114.3				X
	2. RACHEAL VILSON-STONER (Olivia Villegas- Liston)	114.3				X
SCHUK TOAK 180.6	1. ANTHONY J. FRANCISCO JR. ( )	90.3	X			
	2. QUINTIN C. LOPEZ (John Fendenheim)	90.3	X			
SELLS 513.5	1. ARTHUR WILSON (Beverly Rivas)	256.75	X			
	2. BARBARA HAVIER ( )	256.75	X			X
SIF OIDAK 231.6	1. LUCINDA ALLEN ( <i>Absent</i> ) (Nicholas Jose) ( <i>Present</i> )	115.80	X			
	2. MARY LOPEZ ( )	115.80	X			
<b>TOTAL</b>		<b>3,021.4</b>	<b>2,792.8</b>	<b>-0-</b>	<b>-0-</b>	<b>228.6</b>