

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Supporting the Continued Existence of Tribal Advisory Committees)

RESOLUTION NO. 16-215

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 with the authority to “consult with the Congress of the United States and**
5 **appropriate federal agencies regarding federal activities that affect the Tohono**
6 **O'odham Nation. . .” (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,** as part of the full implementation of the Consultation Order and Presidential
2 **Memorandum, executive departments and agencies have established different**
3 **tribal advisory committees such as the Secretary's Tribal Advisory Committee to**
4 **incorporate tribal guidance on department priorities, policies and budgets, and**
5 **to improve the government-to-government relationship between the federal**
6 **government and tribal nations; and**

7 **WHEREAS,** the Nation has historically appointed official representatives from respective
8 **oversight committees to serve on national committees and boards to offer**
9 **guidance and feedback concerning federal policies, procedures, and budgets**
10 **that affect the Nation and other tribal nations; and**

11 **WHEREAS,** with less than a full year left in President Barack H. Obama's administration, the
12 **Legislative Health and Human Services Committee is concerned that a new**
13 **presidential administration will not adhere to and fully implement the**
14 **Consultation Order and Presidential Memorandum, including the existence of**
15 **tribal advisory committees; and**

16 **WHEREAS,** the Legislative Health and Human Services Committee strongly recommends
17 **unifying all tribal nations at the National Congress of American Indians' ("NCAI")**
18 **2016 Mid-Year Conference and Marketplace to advocate for the continued**
19 **existence of tribal advisory committees to offer valuable insight and feedback**
20 **with regards to any issues that have substantial direct effects on one or more**
21 **Indian tribes.**

22 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council that it urges**
23 **the continued existence of tribal advisory committees to offer valuable insight**
24 **and feedback with regards to any issues that have substantial direct effects on**
25 **one or more Indian tribes in the next presidential administration.**

26 **BE IT FURTHER RESOLVED by the Tohono O'odham Legislative Council that it authorizes and**
27 **directs the Nation's delegation to the National Congress of American Indians'**
28 **2016 Mid-Year Conference and Marketplace to submit this resolution to NCAI for**
29 **its approval.**

30 **BE IT FINALLY RESOLVED by the Tohono O'odham Legislative Council that it authorizes and**
31 **directs the Nation's Chairman or official designee to advocate the Nation's**

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positions expressed in this resolution to appropriate federal departments, agencies, or members of Congress.

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 26TH day of MAY, 2016 at a meeting at which a quorum was present with a vote of 2,792.8 FOR; -0- AGAINST; -0- NOT VOTING; and 228.6 [06] ABSENT, pursuant to the powers vested in the Council by Article VI, Section 1(c)(2) and 1(j) 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


Timothy Joaquin, Legislative Chairman

27TH 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 4:51 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


Timothy Joaquin, Legislative Chairman

APPROVED

on the 27 day of May, 2016

DISAPPROVED

at 5:06 o'clock, P.M.


EDWARD D. MANUEL, CHAIRMAN
TOHONO O'ODHAM NATION

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Returned to the Legislative Secretary on the 27 day of
May, 2016, at 6:00 o'clock, P.m.


Evonne Wilson, Legislative Secretary

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ACTION: SUPPORTING THE CONTINUED EXISTENCE OF TRIBAL ADVISORY COMMITTEES

MOVED: COUNCILWOMAN SANDRA ORTEGA

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 | | | |
| GU ACHI 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 | | | 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 | | | |
| TOTAL | | 3,021.4 | 2,792.8 | -0- | -0- | 228.6 [07] |