

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Supporting Federal Legislation that Authorizes U.S. Bureau of Indian Affairs to Accept
Funding for Road Repair and Maintenance from U.S. Customs and Border Protection)

RESOLUTION NO. 16-263

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 and**
6 **all federal appropriation estimates and projects for the benefit of the Tohono**
7 **O'odham Nation. . ." (Constitution, Article VI, Section 1(c)(2) and Section 1(j)); and**

8 **WHEREAS, severely inadequate U.S. Bureau of Indian Affairs ("BIA") funding for road**
9 **maintenance and repair is a persistent issue affecting the Tohono O'odham**
10 **Nation and its members, as well as U.S. Customs and Border Protection ("CBP"),**
11 **which frequently uses the Nation's roads for law enforcement, border security,**
12 **and emergency search and rescue purposes; and**

13 **WHEREAS, for several years, the Nation has urged and facilitated discussions between BIA**
14 **and CBP to develop a memorandum of agreement to authorize transfer of funds**
15 **from CBP to BIA for road maintenance and repair of BIA roads heavily used by**
16 **CBP, such as BIA Route 21, which leads to the Papago Farms Law Enforcement**
17 **Center; and**

18 **WHEREAS, while CBP is willing to provide much needed road repair and maintenance**
19 **funding, CBP also needs a clarification of legal authorities prior to executing a**
20 **memorandum of agreement with BIA; and**

21 **WHEREAS, the Domestic Affairs, Agricultural and Natural Resources, and Appropriations**
22 **Committees reviewed and recommend support of federal legislation language,**
23 **which is incorporated by this reference, that authorizes the CBP to enter into an**
24 **agreement with and to transfer funds to the Director of the Bureau of Indian**
25 **Affairs to maintain or repair roads under the jurisdiction of the Director.**

26 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council supports**
27 **federal legislation language, in substantially the form attached, that authorizes**
28 **U.S. Customs and Border Protection to enter into an agreement with and to**
29 **transfer funds to the Director of the U.S. Bureau of Indian Affairs to maintain or**
30 **repair roads under the jurisdiction of the Director.**

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1 **BE IT FINALLY RESOLVED** by the Tohono O'odham Legislative Council that the Nation's
2 **Chairperson or designated official and the Appropriations Committee is**
3 **authorized and directed to advocate for the passage of the federal legislation**
4 **language expressed in this resolution.**

5 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 17TH day**
6 **of JUNE, 2016 at a meeting at which a quorum was present with a vote of 3,021.4 FOR; -0- AGAINST;**
7 **-0- NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by Article VI,**
8 **Section 1(c)(2) and Section 1(j) of the Constitution of the Tohono O'odham Nation, adopted by**
9 **the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
10 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**
11 **18, 1934 (48 Stat.984).**

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14 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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18 **Timothy Joaquin, Legislative Chairman** FOR

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20 20TH day of JUNE, 2016

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24 **ATTEST:**

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27 **Evonne Wilson, Legislative Secretary**

28
29 20 day of June, 2016

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31 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono**
32 **O'odham Nation on the 20 day of June, 2016 at 9:12 o'clock, A.m.,**
33 **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become**
34 **effective upon his approval or upon his failure to either approve or disapprove it within 48**
35 **hours of submittal.**

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37 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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41 **Timothy Joaquin, Legislative Chairman** FOR

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APPROVED

on the 20 day of June, 2016

DISAPPROVED

at 10:06 o'clock, A.m.



**EDWARD D. MANUEL, CHAIRMAN
TOHONO O'ODHAM NATION**

Returned to the Legislative Secretary on the 20 day of

June, 2016, at 10:20 o'clock, a.m.



Evonne Wilson, Legislative Secretary

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ACTION: SUPPORTING FEDERAL LEGISLATION THAT AUTHORIZES U.S. BUREAU OF INDIAN AFFAIRS TO ACCEPT FUNDING FOR ROAD REPAIR AND MAINTENANCE FROM U.S. CUSTOMS AND BORDER PROTECTION

MOVED: COUNCILWOMAN LUCINDA ALLEN

SECOND: COUNCILMAN QUINTIN C. LOPEZ

DATE: JUNE 17, 2016

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 367.2	1. FRANCES MIGUEL (Roberta E. Harvey)	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			
	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			
GU VO 250.6	1. GRACE MANUEL (Dallas Lewis)	125.30	X			
	2. PAMELA ANGHILL (Jeffery Antone, Sr.)	125.30	X			
HICKIWAN 205.8	1. LOUIS R. LOPEZ (Shirley Molina)	102.90	X			
	2. SANDRA ORTEGA ()	102.90	X			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 (Gloria Ramirez)	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			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 (<i>Absent</i>) (Beverly Rivas) (<i>Present</i>)	256.75	X			
	2. BARBARA HAVIER ()	256.75	X			
SIF OIDAK 231.6	1. LUCINDA ALLEN (Nicholas Jose)	115.80	X			
	2. MARY LOPEZ ()	115.80	X			X
TOTAL		3,021.4	3,012.4	-0-	-0-	[03]