

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Accepting Settlement Amount in *Ramah Navajo Chapter, et al. v. Jewell*)**

**RESOLUTION NO. 16-582**

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 its members" and to "consult, negotiate  
4 and conclude agreements and contracts on behalf of the Tohono O'odham  
5 Nation with Federal, State and local governments" (Constitution of the Tohono  
6 O'odham Nation, Article VI, Sections 1(c)(2) and 1(f)); and

7 **WHEREAS,** Tohono O'odham Nation has been identified as a member of the plaintiff class in  
8 *Ramah Navajo Chapter, et al. v. Jewell*, No. 90-CV-957 JAP/KBM, United States  
9 District Court, District of New Mexico; and

10 **WHEREAS,** class members eligible to share in the settlement are the 699 Indian tribes and  
11 tribal organizations approved by the Court on December 17, 2015; and

12 **WHEREAS,** these tribes and tribal organizations contracted or entered into self-governance  
13 funding agreements with the Bureau of Indian Affairs or the Office of Self  
14 Governance under the Indian Self-Determination and Education Assistance Act  
15 of 1974 Pub. L. No. 93-638, 88 Stat. 2203-17, during fiscal years 1994 through 2013;  
16 and

17 **WHEREAS,** the net settlement amount is \$862,261,991.62; and

18 **WHEREAS,** under the provisions of the Final Settlement Agreement approved by the Court  
19 and the Court's subsequent Order of August 17, 2016, the Court has ruled that  
20 the Tohono O'odham Nation's share of the approved net settlement amount is  
21 \$8,204,217.20; and

22 **WHEREAS,** the Domestic Affairs, Health and Human Services, Human Resources  
23 Development, and Budget and Finance Committees have reviewed this  
24 resolution and recommend its approval.

25 **NOW, THEREFORE, BE IT RESOLVED** that the Tohono O'odham Legislative Council accepts,  
26 approves, and authorizes the settlement amount of \$8,204,217.20 as a  
27 compromise amount due and owing to the Nation under the provisions of its

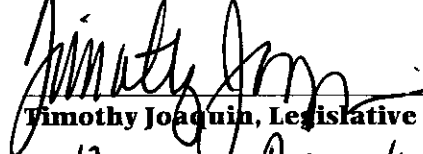
1 agreements with the Bureau of Indian Affairs or the Office of Self Governance  
2 that were in effect between the parties during fiscal years 1994 through 2013.

3 BE IT FURTHER RESOLVED by the Tohono O'odham Legislative Council that the settlement  
4 funds shall be deposited in the Nation's general fund and shall not be expended  
5 or transferred to another account unless expressly authorized by Legislative  
6 Council resolution.


7 BE IT FINALLY RESOLVED that the Tohono O'odham Legislative Council authorizes the Nation's  
8 Chairman to take all actions necessary to carry out this resolution, including  
9 completing and filing the Claim Form.

10 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 07<sup>TH</sup>  
11 day of DECEMBER, 2016 at a meeting at which a quorum was present with a vote of 3,021.4 FOR;  
12 -0- AGAINST; -0- NOT VOTING; and [08] ABSENT, pursuant to the powers vested in the Council by  
13 Article VI, Section 1(c)(2) and 1(f) of the Constitution of the Tohono O'odham Nation, adopted by  
14 the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant  
15 Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of  
16 June 18, 1934 (48 Stat.984).

17  
18 TOHONO O'ODHAM LEGISLATIVE COUNCIL

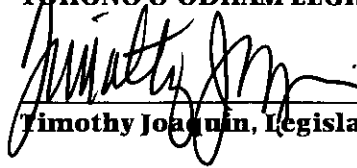
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22 Timothy Joaquin, Legislative Chairman  
23  
24 12 day of December, 2016

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27 ATTEST:

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30 Evonne Wilson, Legislative Secretary  
31  
32 9 day of December, 2016

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34 Said Resolution was submitted for approval to the office of the Chairman of the Tohono  
35 O'odham Nation on the 12 day of December, 2016 at 4:40 o'clock, p.m.,  
36 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become  
37 effective upon his approval or upon his failure to either approve or disapprove it within 48  
38 hours of submittal.  
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TOHONO O'ODHAM LEGISLATIVE COUNCIL



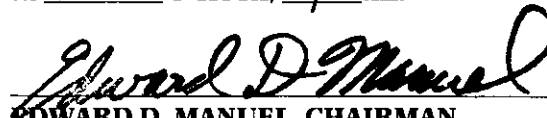
Timothy Joaquin, Legislative Chairman

APPROVED

on the 14<sup>th</sup> day of December, 2016

DISAPPROVED

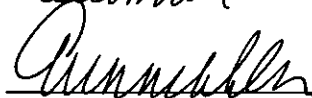
at 2:20 o'clock, p.m.



EDWARD D. MANUEL, CHAIRMAN  
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 14 day of

December, 2016, at 2:59 o'clock, p.m.



Evonne Wilson, Legislative Secretary

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ACTION: ACCEPTING SETTLEMENT AMOUNT IN *RAMAH NAVAJO CHAPTER, ET AL. V. JEWELL*

MOVED: COUNCILMAN ARTHUR WILSON

SECOND: COUNCILWOMAN SANDRA ORTEGA

DATE: DECEMBER 07, 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			X
GU VO 250.6	1. GRACE MANUEL (Dallas Lewis)	125.30	X			
	2. PAMELA ANGHILL ( <i>Absent</i> ) (Jeffery Antone, Sr.) ( <i>Present</i> )	125.30	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			X
	2. MONICA K. MORGAN ( )	109.95	X			
SAN LUCY 226.5	1. DIANA MANUEL ( <i>Absent</i> ) (Lorraine Eiler) ( <i>Present</i> )	113.25	X			
	2. JANA MONTANA (Gloria Ramirez)	113.25	X			X
SAN XAVIER 228.6	1. DANIEL L.A. PRESTON III (Felicia Nunez)	114.3	X			
	2. RACHEAL VILSON-STONER (Olivia Villegas-Liston)	114.3	X			X
SCHUK TOAK 180.6	1. ANTHONY J. FRANCISCO JR. (Mario J.B. Juan)	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 (Nicholas Jose)	115.80	X			
	2. MARY LOPEZ ( )	115.80	X			X
<b>TOTAL</b>		<b>3,021.4</b>	<b>3,021.4</b>	<b>-0-</b>	<b>-0-</b>	<b>[08]</b>