

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Appointing Susan Warmack to the Tohono O'odham Nation Institutional Review Board)**

**RESOLUTION NO. 21-405**

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 "provide for, appoint, or provide for the appointment of, and prescribe  
5                    the duties and powers of committees, boards, officers and agents. . ."   
6                    (Constitution, Article VI, Section 1(c)(2) and Section 1(b)); and  
7   **WHEREAS,**    the Nation's Research Code, enacted May 23, 2013, establishes a permit  
8                    requirement for any researcher seeking to conduct research on the Nation, a  
9                    Nation's Institutional Review Board to review and consider research proposals,  
10                  and a requirement that researchers enter into a research agreement with the  
11                  Nation (17 Tohono O'odham Code Chapter 8); and  
12   **WHEREAS,**    the Nation's Institutional Review Board is comprised of five enrolled Nation's  
13                  members with sufficient education and experience in different fields (17 Tohono  
14                  O'odham Code Chapter 8, Section 8104); and  
15   **WHEREAS,**    Institutional Review Board members are nominated by the Nation's chairperson  
16                  and appointed by the Legislative Council for staggered three-year terms expiring  
17                  on September 30 of the third year, provided that the Legislative Council may  
18                  appoint two initial members to two-year terms and all members shall serve until  
19                  replaced (17 Tohono O'odham Code Chapter 8, Section 8104); and  
20   **WHEREAS,**    Chairman Ned Norris, Jr. has nominated Susan Warmack, a Nation's member  
21                  with sufficient education and skills in the field of elder care for the Institutional  
22                  Review Board; and  
23   **WHEREAS,**    by Resolution No. 20-167 and in the absence of an Institutional Review Board with  
24                  a sufficient number of members for a quorum, the Legislative Council approved  
25                  the Native American Advancement Foundation "I:mig, Language and Sacred  
26                  Sites: Documenting Dialects of the Gu-Vo District on the Tohono O'odham Nation"  
27                  research proposal, which involves Ms. Warmack; and  
28   **WHEREAS,**    "No IRB member may participate in the initial or continuing review of any  
29                  research proposal in which the member has a conflict of interest. . ." (17 Tohono  
30                  O'odham Code, Chapter 8, Section 8107 (F)); and  
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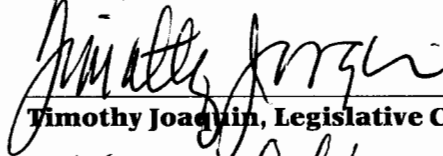
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1 **WHEREAS, the Human Resources Development and Rules Committees have reviewed Susan**  
2 **Warmack's resume, cover letter, and background investigation report and**  
3 **recommend approval.**

4 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council appoints**  
5 **Susan Warmack, a Nation's member with sufficient education and experience in**  
6 **the field of elder care under Section 8104 (C)(4) of the Nation's Research Code to**  
7 **the Institutional Review Board for a two-year term beginning on the effective date**  
8 **of this resolution and expiring September 30, 2023, provided that she shall**  
9 **continue to serve until replaced and further provided that she shall not**  
10 **participate in the continuing review of the research proposal approved by**  
11 **Resolution No. 20-167.**

12 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 14<sup>TH</sup>**  
13 **day of OCTOBER, 2021 at a meeting at which a quorum was present with a vote of 3,218.0 FOR;**  
14 **-0- AGAINST; -0- NOT VOTING; and -0- ABSENT, pursuant to the powers vested in the Council by,**  
15 **Article VI, Section 1(c)(2) and Section 1(b) of the Constitution of the Tohono O'odham Nation,**  
16 **adopted by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy**  
17 **Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the**  
18 **Act of June 18, 1934 (48 Stat.984).**

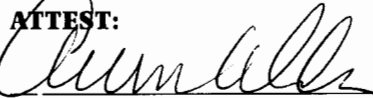
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20 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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24 **Timothy Joaquin, Legislative Chairman**

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26 18 day of October, 2021

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29 **ATTEST:**

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32 **Evonne Wilson, Legislative Secretary**

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34 15 day of October, 2021

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36 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono**  
37 **O'odham Nation on the 18 day of October, 2021 at 10:28 o'clock, a .m.,**  
38 **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become**  
39 **effective upon his approval or upon his failure to either approve or disapprove it within 48**  
40 **hours of submittal.**

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42 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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46 **Timothy Joaquin, Legislative Chairman**

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**APPROVED**

on the 18 day of October, 2021

**DISAPPROVED**

at 4:15 o'clock, P.m.

  
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**NED NORRIS, JR., CHAIRMAN**  
**TOHONO O'ODHAM NATION**

Returned to the Legislative Secretary on the 18 day of

October, 2021, at 5:00 o'clock, P.m.

  
\_\_\_\_\_  
**Evonne Wilson, Legislative Secretary**

ACTION: APPOINTING SUSAN WARMACK TO THE TOHONO O'ODHAM NATION INSTITUTIONAL REVIEW BOARD

MOVED: COUNCILWOMAN JANICE FELIX

SECOND: COUNCILWOMAN TERESA F. DONAHUE

DATE: OCTOBER 14, 2021

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 245.6	1. MARY LOPEZ (Ann M. Garcia) 2. LUCINDA ALLEN (Francis Homewytewa)	122.8 122.8	X X			
SELLS 556.5	1. ARTHUR WILSON ( ) 2. EVELYN JUAN-MANUEL ( <i>Absent</i> ) (Arvada Liston) ( <i>Present</i> )	278.25 278.25	X X			
SCHUK TOAK 190.5	1. TERESA F. DONAHUE (Alberta Espinoza) 2. DELISA M. RAMON (Sharon A. Francisco)	95.25 95.25	X X			
SAN XAVIER 242.6	1. DANIEL L.A. PRESTON III (Racheal Vilson-Stoner) 2. JANICE FELIX (Adam P. Andrews)	121.3 121.3	X X			
SAN LUCY 243.8	1. JANA MONTANA (Lorraine M. Eiler) 2. ROGER MANUEL (Christina Andrews)	121.9 121.9	X X			
PISINEMO 232.7	1. MARIETTA MARTIN ( ) 2. EDWARD D. MANUAL (Monica Morgan)	116.35 116.35	X X			
HICKIWAN 216.6	1. LOUIS R. LOPEZ ( ) 2. SANDRA D. ORTEGA ( <i>Absent</i> ) (Delma M. Garcia) ( <i>Present</i> )	108.3 108.3	X X			
GU VO 270.7	1. GRACE MANUEL ( ) 2. CYNTHIA SAAVEDRA (Dallas Lewis)	135.35 135.35	X X			
GU ACHI 278.5	1. TIMOTHY L. JOAQUIN ( ) 2. VICTORIA HOBBS (Tonya L. Joaquin)	139.25 139.25	X X			
CHUKUT KUK 351.6	1. MARLAKAY HENRY (Billman Lopez) 2. VIVIAN JUAN-SAUNDERS (Cornelius Antone)	175.8 175.8	X X			
BABOQUIVARI 388.9	1. ALBERTA J. RAY (Frances G. Antone) 2. LEANDER MASE (Francine Schooling)	194.45 194.45	X X			
	<b>TOTAL</b>	<b>3,218.0</b>	<b>3,218.0</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>