

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Approval of the Interconnection Security Agreement ("ISA") and the Western Hemisphere**  
**Travel Initiative Enhanced Driver's License "Push" Model Service Level Agreement ("SLA")**  
**between the Tohono O'odham Nation ("Nation") and the United States Department of**  
**Homeland Security ("DHS") and Customs and Border Protection, ("CBP"))**

**RESOLUTION NO. 22-215**

- 1 **WHEREAS,** the Nation's Legislative Council is vested with the power to "consult, negotiate  
2 and conclude agreements and contracts on behalf of the Tohono O'odham Nation  
3 with Federal, State and local governments . . . or with private persons or  
4 organizations on all matters within the authority of the Tohono O'odham  
5 Council" (Constitution of the Tohono O'odham Nation, Article VI, Section 1(f)); and  
6 **WHEREAS,** by Resolution No. 09-454, the Legislative Council approved a Memorandum of  
7 Agreement between the Tohono O'odham Nation and United States Customs and  
8 Border Protection ("CBP"), for shared commitment to support the Nation's  
9 project to develop an enhanced tribal card (hereinafter "the ETC" or "the Nation's  
10 ETC") that will be issued by the Nation and available to qualifying members of the  
11 Nation on a voluntary basis and will include facilitative technology enabling the  
12 electronic verification of the bearer's identity, tribal membership and United  
13 States citizenship (hereinafter, "MOA"); and  
14 **WHEREAS,** the Nation requires access to the CBP TECS Enhanced Driver's License System  
15 ("EDL") database in order to exchange data for the ETC; and  
16 **WHEREAS,** the ISA governs the relationship between the Nation, DHS, and CBP regarding the  
17 Nation's Department of Information and Technology ("DOIT") and Department of  
18 Membership Services program staff connecting to and pushing data to the EDL;  
19 and  
20 **WHEREAS,** the SLA documents the understanding between the Nation, DHS and CBP  
21 regarding the level of support that each party will provide for the EDL; and  
22 **WHEREAS,** the Nation connects directly to CBP to transmit Personally Identifiable  
23 Information ("PII") and provide any updates to ensure all records are  
24 synchronized; and  
25 **WHEREAS,** the Interconnection Security Agreement ("ISA") between the Nation and CBP is  
26 needed to ensure that all users with authorized access to the EDL, systems, and  
27 information that resides within the Nation's network, will have completed  
28 training in the required Standard Operating Procedures and Rules of Behavior  
29 specific to accessing the EDL; and

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1 **WHEREAS, the ISA will protect sensitive membership data by requiring adherence to the CBP**  
2 **Information and Security Program Policy and the counterpart Nation Executive**  
3 **Branch Computer Use policy (April 11, 2003); and**

4 **WHEREAS, CBP will follow incident reporting policies and procedures and the DOIT will**  
5 **follow a counterpart Computer Use Policy and will report incidents to the CBP**  
6 **security Point of Contact; and**

7 **WHEREAS, DOIT staff will ensure appropriate security parameters, audit trail, encryption,**  
8 **virus protection, encrypted virtual private network ("VPN") tunnel for remote**  
9 **connections and data transfer are in place on the Nation's side; and**

10 **WHEREAS, the ISA is intended to provide for the joint security of the connected networks and**  
11 **the data they store, process, and transmit; and**

12 **WHEREAS, the Domestic Affairs, Rules, and Cultural Preservation Committees have**  
13 **reviewed the agreements and recommend approval.**

14 **NOW, THEREFORE, BE IT RESOLVED that the Legislative Council:**

- 15 **1. approves the ISA between the Nation, DHS and CBP to connect to and use**  
16 **the EDL and authorizes the Chairperson of the Nation or his designee to**  
17 **execute the ISA in substantially the form attached hereto;**
- 18 **2. approves the SLA between the Nation, DHS and CBP to govern the level of**  
19 **support that each party will provide for the EDL and authorizes the**  
20 **Chairperson of the Nation or his designee to execute the SLA in**  
21 **substantially the form attached hereto; and**
- 22 **3. Approves DOIT as the Point of Contact designee to the CBP Point of Contact**  
23 **for all information security issues and to ensure appropriate security**  
24 **parameters, audit trail, encryption, virus protection, encrypted VPN**  
25 **tunnel for remote connections and data transfer are in place on the Nation**  
26 **side.**

27 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 11<sup>TH</sup>**  
28 **day of JULY, 2022 at a meeting at which a quorum was present with a vote of 3,001.4 FOR; -0-**  
29 **AGAINST; -0- NOT VOTING; and 216.6 [04] ABSENT, pursuant to the powers vested in the Council**  
30 **by, Article VI, Section 1(f) the Constitution of the Tohono O'odham Nation, adopted by the**  
31 **Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**  
32 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**  
33 **18, 1934 (48 Stat.984).**

34  
35

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TOHONO O'ODHAM LEGISLATIVE COUNCIL

Timothy Joaquin  
Timothy Joaquin, Legislative Chairman  
12 day of July, 2022

ATTEST:

Evonne Wilson  
Evonne Wilson, Legislative Secretary  
12 day of July, 2022

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 12 day of July, 2022 at 4:42 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  
Timothy Joaquin, Legislative Chairman

APPROVED

DISAPPROVED

on the 13 day of July, 2022  
at 9:18 o'clock, a.m.

Ned Norris, Jr.  
NED NORRIS, JR., CHAIRMAN  
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 13 day of  
July, 2022, at 3:22 o'clock, P.m.  
Evonne Wilson  
Evonne Wilson, Legislative Secretary

**ACTION:** APPROVAL OF THE INTERCONNECTION SECURITY AGREEMENT ("ISA") AND THE WESTERN HEMISPHERE TRAVEL INITIATIVE ENHANCED DRIVER'S LICENSE "PUSH" MODEL SERVICE LEVEL AGREEMENT ("SLA") BETWEEN THE TOHONO O'ODHAM NATION ("NATION") AND THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY ("DHS") AND CUSTOMS AND BORDER PROTECTION, ("CBP")

**MOVED:** COUNCILMAN DANIEL L.A. PRESTON III

**SECOND:** COUNCILWOMAN JANICE FELIX

**DATE:** JULY 11, 2022

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 245.6	1. MARY LOPEZ (Ann M. Garcia)	122.8	X			
	2. LUCINDA ALLEN (Francis Homewytewa)	122.8	X			
SELLS 556.5	1. ARTHUR WILSON ( )	278.25	X			X
	2. EVELYN JUAN-MANUEL (Arvada Liston)	278.25	X			
SCHUK TOAK 190.5	1. TERESA F. DONAHUE (Alberta Espinoza)	95.25	X			
	2. DELISA M. RAMON (Sharon A. Francisco)	95.25	X			
SAN XAVIER 242.6	1. DANIEL L.A. PRESTON III (Racheal Vilson-Stoner)	121.3	X			
	2. JANICE FELIX (Adam P. Andrews)	121.3	X			
SAN LUCY 243.8	1. JANA MONTANA (Lorraine M. Eiler)	121.9	X			
	2. ROGER MANUEL (Christina Andrews)	121.9	X			
PISINEMO 232.7	1. MARIETTA MARTIN ( )	116.35	X			
	2. EDWARD D. MANUEL (Monica Morgan)	116.35	X			
HICKIWAN 216.6	1. LOUIS R. LOPEZ ( )	108.3				X
	2. DELMA M. GARCIA ( )	108.3				x
GU VO 270.7	1. GRACE MANUEL ( )	135.35	X			
	2. CYNTHIA SAAVEDRA (Absent) (Dallas Lewis) (Present)	135.35	X			X
GU ACHI 278.5	1. TIMOTHY L. JOAQUIN ( )	139.25	X			
	2. VICTORIA HOBBS (Tonya L. Joaquin)	139.25	X			
CHUKUT KUK 351.6	1. MARLAKAY HENRY (Billman Lopez)	175.8	X			
	2. VIVIAN JUAN-SAUNDERS (Cornelius Antone)	175.8	X			
BABOQUIVARI 388.9	1. ALBERTA J. RAY (Frances G. Antone)	194.45	X			
	2. LEANDER MASE (Absent) (Francine Schooling) (Present)	194.45	X			
<b>TOTAL</b>		<b>3,218.0</b>	<b>3,001.4</b>	<b>-0-</b>	<b>-0-</b>	<b>216.6</b> <b>[04]</b>