

LEGISLATIVE ORDER OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Commending Former Legislative Council Representatives for Repaying Amounts in
Accordance with Legislative Order No. 03-370)

LEGISLATIVE ORDER NO. 26-172

1 **WHEREAS,** the Constitution of the Tohono O'odham Nation vests the Legislative Council with
2 the authority to "establish rules and procedures to regulate all meetings of the
3 Tohono O'odham Council, standing committees, boards and special committees"
4 and to "elect from among its own membership a chairman and vice-chairman"
5 (Constitution, Article VI, Section 1(a) and Article V, Section 4); and
6 **WHEREAS,** in 2003, the Legislative Council suspected misuse of Legislative Branch funds
7 from 1996-2002 and approved several legislative orders with the intent to
8 improve the Legislative Branch's fiscal accountability and controls; and
9 **WHEREAS,** Legislative Order No. 03-372 "Adopting Legislative Council Rules Committee
10 Recommendation for Fraud or Internal Audit for the Legislative Branch" orders
11 that "a fraud or internal audit be performed within the Legislative branch for
12 fiscal years 1997 to 2002;" and
13 **WHEREAS,** in the whereas clauses, Legislative Order No. 03-372 states that the Rules
14 Committee recommends a fraud or internal audit after finding that "the
15 Legislative administration [had] not kept accurate records of expenditures" and
16 that expenditures had been authorized but had "not been accounted for through
17 documentation"; and
18 **WHEREAS,** similarly, based upon the suspected misuse of Legislative Branch funds from
19 1996-2002, the Rules Committee recommended Legislative Order No. 03-370 to
20 require "quarterly reports of the outstanding travel per diem for the Legislative
21 Branch be submitted to the Full Legislative Council until all outstanding balances
22 have been cleared"; and
23 **WHEREAS,** since 2003, the Legislative Branch officers have reported on a quarterly basis the
24 outstanding travel per diem from travel conducted from 1996-2002, which have
25 become commonly known as "travel dollars owed"; and
26 **WHEREAS,** from 2003 to 2011, the Legislative Branch looked for documents related to
27 business travel from 1996-2002, but in 2011, after the Legislative Branch's
28 independent auditors provided recommendations, the Legislative Council
29 declared that the audit directed by Legislative Order No. 03-372 could not be
30 performed "due to the lack of documentation" because the Council officers in
31 place did not enforce or implement a uniform recordkeeping process (Legislative
32 Order No. 11-187); and

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1 **WHEREAS, also in 2011, the Legislative Council approved Legislative Order No. 11-190,**
2 **approving that reports generated pursuant to Legislative Order No. 03-370 not**
3 **include information concerning deceased Legislative Council representatives;**
4 **and**

5 **WHEREAS, from 2003 to 2011, the Legislative Council officers in office at that time attempted**
6 **to resolve the outstanding balances reported on a quarterly basis in accordance**
7 **with Legislative Order No. 03-370, but after years of searching for documentation**
8 **and approval of Legislative Order No. 11-187, the Council officers proposed**
9 **repealing Legislative Order No. 03-370, acknowledging that during the time**
10 **period when the outstanding travel per diem reports were initially generated, the**
11 **Legislative Council administration did not keep accurate records of expenditures**
12 **and expenditures that were authorized were not adequately accounted for**
13 **through proper documentation; and**

14 **WHEREAS, although the Legislative Council officers in office in 2011 submitted a legislative**
15 **order to the Council repealing Legislative Order No. 03-370, the Council did not**
16 **approve it; and**

17 **WHEREAS, 30 years have passed since the Legislative Council adopted the 1996 Legislative**
18 **Branch Internal Travel Policy, which did not require repayment of any**
19 **outstanding travel funds; and**

20 **WHEREAS, since 2002, after the Legislative Council adopted a Legislative Branch Travel**
21 **Policy “to increase fiscal responsibility when utilizing Legislative Branch travel**
22 **funds and to ensure that traveling Council Representatives are responsible to**
23 **their respective committees,” the Legislative Branch has only continued to**
24 **strengthen accountability measures and fiscal policies; and**

25 **WHEREAS, because 30 years have passed and because of the passage of Legislative Order No.**
26 **11-187 declaring that a fraud or forensic audit could not be performed “due to the**
27 **lack of documentation,” Chairwoman Saunders and Vice Chairwoman Henry**
28 **proposed to address Legislative Order No. 03-370 and resolve longstanding issues**
29 **during a 2024 general session; and**

30 **WHEREAS, at the discussion, some Legislative Council representatives requested that the**
31 **Council officers contact former Legislative Council representatives and call upon**
32 **them to enter into good faith repayment agreements; and**

33 **WHEREAS, as such, Chairwoman Saunders and Vice Chairwoman Henry began sending**
34 **letters to former Council representatives with an outstanding balance in**

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1 accordance with Legislative Order No. 03-370 requesting that former Council
2 representatives enter into voluntary repayment agreements with the Legislative
3 Branch to repay the outstanding per diem amounts; and

4 **WHEREAS,** former Legislative Council Representatives David Garcia and Lucille Encinas
5 voluntarily entered into a good faith repayment agreement with the Legislative
6 Branch and began submitting payments in accordance with Legislative Order No.
7 03-370; and

8 **WHEREAS,** former Legislative Council Representative David Garcia has repaid \$1,800.00 as
9 of March 25, 2026 and former Legislative Council Representative Lucille Encinas
10 has repaid \$4,200.00 as of April 2, 2026; and

11 **WHEREAS,** former Legislative Council Representative Frances G. Antone repaid the entire
12 outstanding amount of \$1,497.00 in accordance with Legislative Order No. 03 370;
13 and

14 **WHEREAS,** since 2002, the Legislative Branch has adopted travel policies with strict
15 accountability measures, including the mandatory denial of any future travel
16 authorization requests if a traveler failed to meet any of the reporting
17 requirements from previous business travel, which is part of the current August
18 2023 Legislative Branch Travel Policy; and

19 **WHEREAS,** in addition, the current Legislative Branch Travel Policy includes a requirement
20 for the Legislative Council officers to provide to Council a “summary of the
21 authorized business travel from the previous month” (August 2023 Legislative
22 Branch Travel Policy, Paragraph II.A.); and

23 **WHEREAS,** the summary includes the “name(s) of the Council representative or staff
24 member, the purpose of the travel, the dates of the travel, and whether an
25 expense calculation report or written report was submitted on time. If an expense
26 calculation report or written report is pending, the summary will indicate that
27 the report(s) is pending and the deadline” (August 2023 Legislative Branch Travel
28 Policy, Paragraph II.B.); and

29 **WHEREAS,** the Legislative Council officers, and the Budget and Finance and Rules
30 Committees, recommend commending the former Legislative Council
31 representatives who have repaid or are in the process of repaying the Legislative
32 Branch, and further recommend moving forward from Legislative Order No. 03-
33 370.

1 **NOW, THEREFORE, BE IT ORDERED** that the Tohono O'odham Legislative Council commends
2 former Legislative Council Representatives David Garcia and Lucille Encinas for
3 entering into repayment agreements with the Legislative Branch and continuing
4 to repay amounts in accordance with Legislative Order No. 03-370.

5 **BE IT FURTHER ORDERED** that the Tohono O'odham Legislative Council commends former
6 Council Representative Frances G. Antone for repaying the entire outstanding
7 amount of \$1,497.00 in accordance with Legislative Order No. 03-370.

8 **BE IT FURTHER ORDERED** that the Tohono O'odham Legislative Council calls upon the following
9 former Legislative Council representatives with outstanding balances pursuant
10 to Legislative Order No. 03-370 to resolve this matter before June 30, 2026:

- 11 1. Michael Flores, with an outstanding balance of \$1,091.70;
- 12 2. Emilio Lewis, with an outstanding balance of \$103.00;
- 13 3. Albert Manuel, Jr., with an outstanding balance of \$2,515.26;
- 14 4. Joseph Juan, with an outstanding balance of \$3,355.42;
- 15 5. John Reno, with an outstanding balance of \$7,586.64;
- 16 6. Joseph Burrell, with an outstanding balance of \$10,844.52;
- 17 7. Rita Wilson a/k/a Martinez, with an outstanding balance of \$8,827.40;
- 18 8. Shirley Molina, with an outstanding balance of \$2,725.70;
- 19 9. Mary N. Lopez (formerly Mary Flores), with an outstanding balance of
20 \$1,359.00;
- 21 10. Frances Miguel, with an outstanding balance of \$15,629.60.

22 **BE IT FINALLY RESOLVED** by the Tohono O'odham Legislative Council that the quarterly update
23 required by Legislative Order No. 03-370 be archived and that the Council officers
24 moving forward will only provide the monthly report of the previous month's
25 business travel as required by the current Legislative Branch Travel Policy.

26 **The foregoing Order was passed by the Tohono O'odham Legislative Council on the 14TH day of**
27 **MAY, 2026 at a meeting at which a quorum was present with a vote of 2,681.45 FOR;**
28 **639.65 AGAINST; -0- NOT VOTING; and [04] ABSENT, pursuant to the powers vested in the Council**
29 **by Article V, Section 4 and Article VI, Section 1(a) of the Constitution of the Tohono O'odham**
30 **Nation, adopted by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting**
31 **Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section**
32 **16 of the Act of June 18, 1934 (48 Stat.984).**
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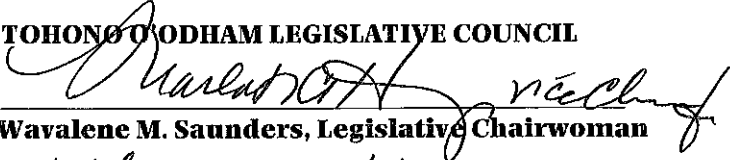
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TOHONO O'DHAM LEGISLATIVE COUNCIL


Wavalene M. Saunders, Legislative Chairwoman

22nd day of May, 2025

ATTEST:



Evonne Wilson, Legislative Secretary

22 day of May, 2025

ACTION: COMMENDING FORMER LEGISLATIVE COUNCIL REPRESENTATIVES FOR REPAYING AMOUNTS IN ACCORDANCE WITH LEGISLATIVE ORDER NO. 03-370

Moved: COUNCILWOMAN JANET B. ELEANDO

SECOND: COUNCILWOMAN THEORIA CAMPILLO

DATE: MAY 14, 2026

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 251.2	1. WAVALENE M. SAUNDERS (Mary Lopez)	125.6	X			
	2. FRANCIS HOMEWYTEWA ()	125.6	X			
SELLS 565.7	1. JANET B. ELEANDO ()	282.85	X			
	2. EVELYN JUAN MANUEL (Juan Buendía)	282.85	X			
SCHUK TOAK 195.3	1. THEORIA CAMPILLO (Rebecca Ann Valentine)	97.65	X			
	2. DELISA M. RAMON (Quintín C. Lopez)	97.65	X			X
SAN XAVIER 249.8	1. DANIEL L.A. PRESTON III ()	124.9	X			
	2. JANICE FELIX ()	124.9	X			
SAN LUCY 266.3	1. GLORIA M. RAMIREZ (Lorraine M. Eiler)	133.15		X		
	2. ROGER MANUEL (Christina Andrews)	133.15	X			
PISINEMO 240.3	1. PAMELA J. BENAVIDEZ (Nora J. Ruelas)	120.15	X			X
	2. NAOMI MONTE (Edward D. Manuel)	120.15	X			
HICKIWAN 222.9	1. LOUIS R. LOPEZ (Loretta A. Ortega)	111.45	X			
	2. DELMA M. GARCIA ()	111.45	X			X
GU VO 279.6	1. LESLIE LUNA ()	139.8	X			
	2. BENNETT CHEWING ()	139.8	X			
GU ACHI 289.2	1. GLORIA JOHNSON ()	144.6		X		
	2. LUCIUS E. LOPEZ (Victoria A. Hobbs)	144.6	X			
CHUKUT KUK 361.9	1. MARIKAY HENRY ()	180.95	X			
	2. VIVIAN JUAN-SAUNDERS (Cornelius Antone)	180.95		X		X
BABOQUIVARI 398.9	1. JESSE NAVARRO ()	199.45	X			
	2. NED NORRIS, JR (Leander Mase)	199.45	X			
TOTAL		3,321.1	2,681.45	639.65	-0-	[04]