

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Recision of P.L. 93-638 Contract #249-88-0010  
Tohono O'odham Psychological Services)

RES. NO. 211-88

1 WHEREAS, the Indian Health Services, on August 12, 1988 rescinded  
2 Contract #249-88-0010 by letter from the Associate  
3 Director, Indian Health Service, Tucson Office of Health  
4 Program Research and Development; and

5 WHEREAS, the Tohono O'odham Nation by and through its  
6 representatives have proceeded, in good faith, to meet  
7 with the Indian Health Service and the Solicitors Office  
8 to settle differences cited in the recision letter; and

9 WHEREAS, this meeting did not result in a negotiated settlement;  
10 and

11 WHEREAS, it is the determination of the Tohono O'odham Nation  
12 that the recision of the Tohono O'odham Psychological  
13 Services contract on the grounds of "threat to life"  
14 lacks merit and that, therefore, the recision is in  
15 direct conflict with intent and spirit of the "Indian  
16 Self-Determination and Education Assistance Act, P.L.  
17 93-638."

18 NOW, THEREFORE, BE IT RESOLVED, that the Tohono O'odham  
19 Legislative Council hereby authorizes the Chairman of  
20 the Nation and the Chairperson of the Health and Human  
21 Services Committee to pursue an appeal on the recision  
22 of the Tohono O'odham Psychological Services contract by  
23 Indian Health Service.

24 BE IT FURTHER RESOLVED, that since the Tohono O'odham Nation at  
25 the request of the IHS did continue its appeal to allow  
26 for the settlement meeting, the Chairman of the Nation  
27 and the Chairperson of Health and Human Services is  
28 directed to seek an appeal date no less than ten days  
29 after written notification to IHS of the Nation's intent  
30 to pursue its appeal.

31 BE IT FURTHER RESOLVED, that the current operation of the Tohono  
32 O'odham Psychological Services be maintained in place as  
a program of the Nation to provide services.

1 BE IT FURTHER RESOLVED, that the Nation will act to relay the  
2 circumstances of this injustice and violation of the  
3 intent of Self-Determination to its congressional  
4 delegation and the Senate Select Committee on Indian  
5 Affairs.

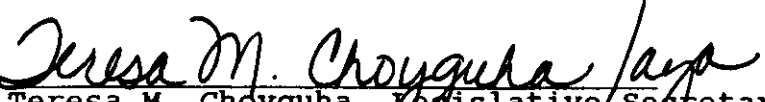
6 The foregoing resolution was passed by the Tohono O'odham Council  
7 on the 30th day of August, 1988 at a meeting at which a quorum  
8 was present with a vote of 1,470.5 for; 100.5 against; 69.0 not  
9 voting; and 01 absent, pursuant to the powers vested in the  
10 Council by Section 1(c)(2) & (f) of Article VI of the  
11 Constitution of the Tohono O'odham Nation, adopted by the Tohono  
12 O'odham Nation on January 18, 1986, and approved by the Acting  
13 Deputy Assistant Secretary - Indian Affairs (Operations) on March  
14 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48  
15 Stat. 984).

16 TOHONO O'ODHAM LEGISLATIVE COUNCIL

17   
18 Harriet Toro, Legislative Chairperson

19 31<sup>st</sup> day of August, 1988.


20 ATTEST:

21   
22 Teresa M. Choyguha, Legislative Secretary

23 31<sup>st</sup> day of August, 1988.

24 Said Resolution was submitted for approval to the office of the  
25 Chairman of the Tohono O'odham Nation on the 31<sup>st</sup> day of  
26 August, 1988, at 4:48 o'clock, P.M.,  
27 pursuant to the provisions of Section 5 of Article VII of the  
28 Constitution and will become effective upon his approval or upon  
29 his failure to either approve or disapprove it within 48 hours of  
30 submittal.

31 TOHONO O'ODHAM LEGISLATIVE COUNCIL

32   
Harriet Toro, Legislative Chairperson

[  ] APPROVED ) on the 06<sup>th</sup> day of September, 1988,

[  ] DISAPPROVED ) at 8:52 o'clock, A.M.

  
ENOS J. FRANCISCO, JR., Chairman  
TOHONO O'ODHAM NATION

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Returned to the Legislative Secretary on the 6<sup>th</sup> day of  
September, 19 88, at 9:01 o'clock, A,M.

Teresa M. Choyguha  
Teresa M. Choyguha  
Legislative Secretary

MOVED: Virgil Lewis

SUBJECT: Recision of P.L. 93-638

SECOND: Julia Carrillo

Contract #249-88-0010 Tohono

DATE: August 30, 1988

O'odham Psychological Services

RESOLUTION #211-88

DISTRICTS	REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 138.0	1. Nicholas Jose (Letitia Garcia)	69.0			X	
	2. Willard Juan, Sr. (Melissa Gregorio)	69.0	X			
SELLS 257.0	1. Andrew Patricio (Daniel Lopez)	128.5	X			
	2. Fred Stevens ( )	128.5	X			
SCHUK TOAK 105.0	1. Julia Carrillo (JoAnn Francisco)	52.5	X			
	2. Joseph Juan (Frances Francisco)	52.5	X			
SAN XAVIER 126.0	1. Eugene Enis (Michael Rios)	63.0	X			
	2. Tony Felix (Carmelita Mattias)	63.0	X			
BABOQUIVARI 241.0	1. Kenneth Chico, Sr. ( )	120.5	X			
	2. Joann Garcia (Frances Miguel)	120.5	X			
GU ACHI 158.0	1. Percy Lopez ( )	79.0	X			
	2. Fernando Joaquin ( )	79.0	X			
PISINEMO 116.0	1. Johnson Jose ( )	58.0	X			
	2. Edward Manuel ( )	58.0		X		
SAN LUCY 85.0	1. Max Jose (Dewey Ortega)	42.5		X		
	2. John Reno ( )	42.5	X			
GU VO 117.0	1. Virgil Lewis (Roy Montana)	58.5	X			
	2. Cross Antone (Juan Joe Cipriano)	58.5	X			
HICKIWAN 128.0	1. Henry Ramon (Billy Manuel)	64.0	X			
	2. Lloyd Francisco (Eleanor Santos)	64.0	X			
CHUKUT KUK 169.0	1. Rosita Ruiz (Rosemary Lopez)	84.5	X			X
	2. Harriet Toro ( )	84.5	X			
TOTAL		1,640.0	1470.5	100.5	69.0	01