

RESOLUTION OF THE TOHONO O'ODHAM COUNCIL
(Probate Backlog Elimination Program)

RES. NO. 91-369

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WHEREAS, the Tohono O'Odham Nation has operated numerous P. L. 93-638 contracts with the Bureau of Indian Affairs; and

WHEREAS, the Bureau of Indian Affairs has notified the Tohono O'odham Nation that funding has been allocated for a Probate Backlog Elimination Program; and

WHEREAS, the primary purpose of the Probate Backlog Elimination Program is to assist Districts and individuals in the preparation of family histories, inventories and to secure data which would constitute a complete probate file for review and submittal to the Administrative Law Judge; and

WHEREAS, the Tohono O'odham Nation has submitted a proposal and budget for the purpose of the Probate Backlog Elimination Program; and

WHEREAS, the Tohono O'odham Legislative Council is desirous to provide Probate Backlog Elimination Services to its tribal members in order to close out outstanding cases; and

WHEREAS, this proposal and contract will require unique coordination between the Tohono O'odham Nation and the Bureau of Indian Affairs due to its proposed sharing of functions and supervision; and

WHEREAS, the Tohono O'odham Nation Probate Backlog Elimination Program has submitted for review and approval the application and budget.

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2 NOW, THEREFORE, BE IT RESOLVED by the Tohono O'odham Legislative
3 Council that it does hereby authorize and request the
4 Bureau of Indian Affairs to contract with the Tohono
5 O'odham Nation pursuant to P. L. 93-638 as amended for
6 the provision of services titled: Tohono O'odham Nation
7 Probate Backlog Elimination Program.

8 BE IT FURTHER RESOLVED by the Tohono O'odham Legislative Council
9 that the contract contain provisions that clearly and
10 concisely delineate the lines of authority,
11 responsibility and liability between the BIA and the
12 Tohono O'odham Nation.

13 BE IT FURTHER RESOLVED by the Tohono O'odham Legislative Council
14 that the Tohono O'odham Nation's Officials, to wit: the
15 Chairman, Vice Chairman and any designated official are
16 hereby authorized to negotiate and execute the
17 contract, provided however, that any amendments
18 affecting the funding or funding levels of the contract
19 shall be submitted for further prior approval by this
20 Council.

21 The foregoing Resolution was passed by the Tohono O'Odham Council
22 on the 9th. day of September, 1991 at a meeting at which a quorum
23 was presented with a vote of 1,618.0 FOR; -0- AGAINST; -0- NOT
24 VOTING; and 106.0 [3] ABSENT, pursuant to the powers vested in the
25 Council by Section 1 (f) of Article VI of the Constitution of the
26 Tohono O'Odham Nation, adopted by the Tohono O'Odham Nation on
27 January 18, 1986; and approved by the Acting Deputy Assistant
28 Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant
to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

TOHONO O'ODHAM LEGISLATIVE COUNCIL

Mary Ann Antone
Mary Ann Antone, Legislative Chairwoman
9th day of September, 1991.

ATTEST:

Teresa M. Choyguha
Teresa M. Choyguha, Legislative Secretary
9th day of September, 1991.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 9th day of September, 1991, at 4:30 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

Mary Ann Antone
Mary Ann Antone, Legislative Chairwoman

[] APPROVED) on the 10th day of September, 1991,
[] DISAPPROVED) at 9:10 o'clock, A.M.

Josiah Moore
JOSIAH MOORE, Chairman
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 10th day of September, 1991, at 9:30 o'clock, A.M.

Teresa M. Choyguha
Teresa M. Choyguha
Legislative Secretary

MOVED: COUNCILWOMAN JOANNE PRESTONSUBJECT: PROBATE BACKLOG ELIMINATION PROGRAMSECOND: COUNCILMAN EARL A. FRANCISCODATE: SEPTEMBER 9, 1991

DISTRICTS	REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 229.0	1. Earl A. Francisco (Kenneth Chico)	114.5	X			
	2. Frances Miguel (Joann Garcia)	114.5	X			
CHUKUT KUK 163.0	1. Kenneth Williams (Harriet Toro)	81.5	X			
	2. Alberta Lopez (Berdella Jose)	81.5	X			
GU ACHI 166.0	1. Alex Ramon (Fernando Joaquin)	83.0	X			
	2. Willard Anita (Jonas Robles)	83.0	X			
GU VO 114.0	** 1. Virgil Lewis (Michael Flores)	57.0	X			
	2. Emilio Lewis (Anthony Flores)	57.0	X			
HICKIWAN 125.0	1. Lloyd Francisco (Billy C. Manuel)	62.5	X			
	2. Manuel Osequeda ()	62.5	X			
PISINEMO 119.0	1. Johnson Jose ()	59.5	X			
	2. Chester Antone (Fernando Valentine)	59.5	X			
SAN LUCY 106.0	1. Albert Manuel, Jr. (Max P. Jose)	53.0				X
	2. John Reno (Mary Hoffman)	53.0				X
SAN XAVIER 127.0	1. Joanne C. Preston (Carmelita Mattias)	63.5	X			
	2. Eugene Enis, Sr. (Michael R. Rios)	63.5	X			
SCHUK TOAK 107.0	1. JoAnn Francisco (David Valenzuela, Sr)	53.5	X			
	2. Frances Francisco (Joseph Juan)	53.5	X			
SELLS 310.0	1. Joseph T. Joaquin (Larry Garcia)	155.0	X			
	2. Andrew Patricio (Lucille Encinas)	155.0	X			
SIF OIDAK 158.0	1. Mary Ann Antone (Nina Jose)	79.0	X			
	2. Willard Juan, Sr. (Delbert Thomas)	79.0	X			
TOTAL		1,724.0	1,618.0	-0-	-0-	106.0 [3]

**PASSED VOTES