

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Law Enforcement and Detention Services Program Revision  
of Scope of Work to Change Calibre of Duty Weapon  
from 9mm to .40 Calibre)**

**RESOLUTION NO. 94-352**

**WHEREAS, the Tohono O'Odham Nation is presently operating the Law Enforcement and Detention Services Program under FY 1994 P.L. 93-638 contract with the Bureau of Indian Affairs; and**

**WHEREAS, any amendments affecting funding, funding levels, and/or scope of work of the contract shall be submitted for review and approval by the Tohono O'Odham Nation Legislative Council; and**

**WHEREAS, the present FY 1994 P.L. 93-638 contract states in Section 104.7, paragraph 4 ... "The Assistant Secretary for Indian Affairs may grant a written waiver to permit law enforcement officers to carry hand guns not authorized by this paragraph."; and**

**WHEREAS, the Chairman of the Tohono O'Odham Nation made a written request on December 17, 1993 to Mr. Walt Mills, Area Director, BIA Phoenix Area Office, requesting a waiver on caliber of weapons used by the Nation's Police from a 9mm semi-automatic pistol to a .40 cal. semi-automatic pistol; and**

**WHEREAS, on January 14, 1994, the Acting Area Director, BIA Phoenix Area Office responded thru the Superintendent**

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**of the Papago Agency, stating that "... the Tohono  
O'Odham Nation Tribal Council can establish the calibre  
of weapon they wish their police officers to carry."; and**

**WHEREAS, on January 21, 1994, the Superintendent of the Papago  
Agency notified the Nation in writing of the BIA Phoenix  
Area Director's response "... regarding the Tohono  
O'Odham Nation's request for a waiver on the caliber of  
weapons used by the Tohono O'Odham Police. The work  
statement in the P.L. 93-638 Law Enforcement Contract  
will be revised to reflect the caliber as designated by the  
Nation."; and**

**WHEREAS, an amended scope of work has been submitted for  
review and approval regarding the desired calibre of  
duty weapon to be carried by Tohono O'Odham Nation  
Police personnel for FY 1994 under the Law Enforcement  
and Detention Services Program.**

**NOW, THEREFORE, BE IT RESOLVED that the Tohono O'Odham  
Legislative Council does hereby approve the amended  
scope of work to change calibre of duty weapon from  
9mm to .40 cal. within the Law Enforcement and  
Detention Services Program and authorizes**

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expenditures in accordance with and to meet the obligations of the attached revised scope of work.

**BE IT FURTHER RESOLVED** by the Tohono O'Odham Legislative Council that the Tohono O'Odham Nation's Officials, to wit: the Chairman and any designated official are hereby authorized to negotiate and execute the contract, provided however, that any amendments affecting the funding, funding levels and/or scope of work of the contract shall be submitted for further prior approval by this Council.

The foregoing Resolution was passed by the Tohono O'Odham Legislative Council on the 12TH day of SEPTEMBER, 1994 at a meeting at which a quorum was present with a vote of 1,763.0 FOR; -0- AGAINST; -0- NOT VOTING; and 04 ABSENT, pursuant to the powers vested in the Council by Section 1(f) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant 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**



**Alex J. Ramon, Legislative Chairman**

15<sup>th</sup> day of September, 1994

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**ATTEST:**

  
**Teresa M. Choyguha, Legislative Secretary**

15<sup>th</sup> day of September, 1994.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 16<sup>th</sup> day of September, 1994 at 8:39 o'clock, A.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**



**Alex J. Ramon, Legislative Chairman**

**APPROVED**

on the 16 day of September, 1994

**DISAPPROVED**

at 1:39 o'clock, P.M.



**SYLVESTER LISTO, Chairman**  
**TOHONO O'ODHAM NATION**

Returned to the Legislative Secretary on the 16<sup>th</sup> day of

September, 1994, at 3:59 o'clock, P.M.

  
**Teresa M. Choyguha, Legislative Secretary**

**ACTION:** LAW ENFORCEMENT AND DETENTION SERVICES PROGRAM REVISION OF SCOPE OF WORK TO CHANGE CALIBRE OF DUTY WEAPON FROM 9MM TO .40 CALIBRE

**MOVED:** COUNCILMAN MANUEL OSEQUEDA, JR.

**SECOND:** COUNCILMAN ALBERT MANUEL, JR.

**DATE:** SEPTEMBER 12, 1994

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 151.0	1. WILLARD JUAN, SR. (Delbert Thomas)	75.5	X			
	2. MARY ANN ANTONE (Nellie Miguel)	75.5	X			
SELLS 290.0	1. ANDREW M. PATRICIO (Lucille Encinas)	145.0	X			
	2. JOSEPH T. JOAQUIN (Allen W. Garcia, Jr.)	145.0	X			X
SCHUK TOAK 113.0	1. FRANCES FRANCISCO ( )	56.5	X			
	2. KENNETH J. ANTONE ( )	56.5	X			X
SAN XAVIER 135.0	1. EUGENE ENIS, SR. ( )	67.5	X			
	2. DENNIS RAMON ( )	67.5	X			
BABOQUIVARI 230.0	1. FRANCES MIGUEL ( )	115.0	X			
	2. EARL A. FRANCISCO ( )	115.0	X			
GU ACHI 180.0	1. WILLARD ANITA ( )	90.0	X			
	2. ALEX J. RAMON (Marian Johnson)	90.0	X			X
PISINEMO 128.0	1. CHESTER ANTONE (Fernando Valentine)	64.0	X			X
	2. JOHNSON M. JOSE (Roseleen Antone)	64.0	X			
SAN LUCY 98.0	1. JOHN RENO ( )	49.0	X			
	2. ALBERT MANUEL, JR. (Ernestine Marquez)	49.0	X			
GU VO 124.0	1. EMILIO LEWIS ( )	62.0	X			
	2. MICHAEL FLORES (Fern Salcido)	62.0	X			
HICKIWAN 136.0	1. MANUEL OSEQUEDA, JR. ( )	68.0	X			
	2. LLOYD FRANCISCO ( )	68.0	X			
CHUKUT KUK 178.0	1. MARILYN FRANCISCO ( )	89.0	X			
	2. KENNETH WILLIAMS ( )	89.0	X			
<b>TOTAL</b>		<b>1,763.0</b>	<b>1,763.0</b>	<b>-0-</b>	<b>-0-</b>	<b>04</b>

**\*\*PASSED VOTES**