

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Designating Agent for Service of Notice in Cases Subject to the Indian Child  
Welfare Act)**

**RESOLUTION NO. 96-020**

**WHEREAS, the Indian Child Welfare Act of 1978, Public Law 95-608, 25 U.S.C.  
SS 1901 et seq. (hereinafter referred to as the "Act"), was enacted  
to protect and preserve Indian tribes and to establish federal  
standards for both the removal of Indian children from their  
families and the placement of such children in foster or adoptive  
homes which will reflect the unique values of Indian culture; and**

**WHEREAS, by Resolution No. 230-84, the Nation's Department of Human  
Services was designated as the "Agency within the Tribe to  
discharge the solemn responsibilities placed upon the Tribe by the  
Act and ... delegated[d] all necessary authority to meet the  
responsibilities arising under [the Act]; and**

**WHEREAS, subsequent to Resolution No. 230-84, the Legislative Council enacted  
the Statute Creating the Office of the Attorney General of the  
Tohono O'odham Nation with the responsibility to provide legal  
advice and representation to the nation's agencies and departments;  
and**

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**(Designating Agent for Service of Notice in Cases Subject to the Indian Child Welfare Act)**

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3  
4 **WHEREAS,** the Act requires that written notice be provided to the Nation in  
5 certain cases arising in state courts involving Tohono O'odham  
6 children; and

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8 **WHEREAS,** the Secretary of Interior has established by regulation found at 25  
9 C.F.R. SS 23.12, a procedure whereby tribes may designate an  
10 official agent for receiving notices as required under the Act; and

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12  
13 **WHEREAS,** the Child Welfare Division of the Nation's Department of Human  
14 Services and the Office of Attorney General recommend that the  
15 Nation's Attorney General be designated as the agent for service of  
16 notice as required under the Act.

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19 **NOW, THEREFORE, BEFORE IT RESOLVED that:**

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21 1. Effective January 1, 1996, the Attorney General of the Tohono  
22 O'odham Nation is hereby designated the agent for service of  
23 notice required under the Indian Child Welfare Act of 1978,  
24 Public Law 95-608, 25 U.S.C. SS 1901 et seq.

25  
26  
27 2. The Chairman of the Nation and the Attorney General are  
28 authorized and directed to provide notice of this designation to

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3  
4 the Secretary of Interior and all other necessary persons, entities  
5 and organizations in accordance with this Resolution, the Act and  
6 its regulations.  
7

8 The foregoing Resolution was passed by the Tohono O'Odham Council on the  
9 **10TH** day of **JANUARY, 1996** at a meeting at which a quorum was present with  
10 a vote of **1,771.0 FOR; -0- AGAINST; -0- NOT VOTING; and 105.0 [04] ABSENT**,  
11 pursuant to the powers vested in the Council by Article VI Section **1(b) 1(1)** of  
12 the Constitution of the Tohono O'Odham Nation, adopted by the Tohono  
13 O'Odham Nation on January 18, 1986; and approved by the Acting Deputy  
14 Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to  
15 Section 16 of the Act of June 18, 1934 (48 Stat. 984).

15 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

16  
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18 **Dennis Ramon, Legislative Chairman**

19 18<sup>th</sup> day of January, 1996

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21  
22  
23 **ATTEST:**

24 

25 **Frances Antone, Legislative Secretary**

26  
27 17<sup>th</sup> day of January, 1996

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Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 18<sup>th</sup> day of January, 1996 at 1:14 o'clock, 9.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

Dennis Ramon  
Dennis Ramon, Legislative Chairman

APPROVED

on the 22 day of January, 1996

DISAPPROVED

at 11:23 o'clock, 4.M.

Edward D. Manuel  
EDWARD D. MANUEL, Chairman  
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 22nd day of

January, 1996, at 12:35 o'clock, P.M.

Frances Antone  
Frances Antone, Legislative Secretary

**RESOLUTION NO. 96-020**

**ACTION:** DESIGNATING AGENT FOR SERVICE OF NOTICE IN CASES SUBJECT TO THE INDIAN CHILD WELFARE ACT

**MOVED:** COUNCILMAN DAVID GARCIA

**SECOND:** COUNCILWOMAN FERN SALCIDO

**DATE:** JANUARY 10, 1996

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>SIF ODAK</b> 160.0	1. MARY ANN ANTONE (Nellie Miguel)	80.0	X			
	2. RITA MARTINEZ (Maxine Norris)	80.0	X			
<b>SELLS</b> 314.0	1. JOSEPH T. JOAQUIN (Allen W. Garcia, Jr.)	157.0	X			
	2. LUCILLE ENCINAS (Cynthia Chico)	157.0	X			
<b>SCHUK TOAK</b> 117.0	1. KENNETH J. ANTONE ( )	58.5	X			
	2. MARY JANE JUAN-MOORE ( )	58.5	X			
<b>SAN XAVIER</b> 142.0	1. DENNIS RAMON ( )	71.0	X			
	2. TONY BURRELL ( )	71.0	X			
<b>BABOQUIVARI</b> 257.0	1. EDWARD KISTO ( Idella Stanley)	128.5	X			
	2. FRANCES MIGUEL (Kenneth Chico, Sr.)	128.5	X			
<b>GU ACHI</b> 187.0	1. ALEX J. RAMON (Marian Johnson)	93.5	X			X
	2. WILLARD ANITA (Louis Johnson)	93.5	X			
<b>PISINEMO</b> 135.0	1. JOHNSON JOSE (Roseleen Antone)	67.5	X			
	2. BARBARA SALVICIO ( )	67.5	X			
<b>SAN LUCY</b> 105.0	1. ALBERT MANUEL, JR. ( )	52.5				X
	2. JOHN RENO (Mary Hoffman)	52.5				X
<b>GU VO</b> 134.0	1. MICHAEL FLORES ( )	67.0	X			X
	2. FERN SALCIDO (Larry Montana)	67.0	X			
<b>HICKIWAN</b> 142.0	1. LLOYD FRANCISCO ( )	71.0	X			
	2. ALEX JOSE ( )	71.0	X			
<b>CHUKUT KUK</b> 183.0	1. KENNETH WILLIAMS ( )	91.5	X			
	2. DAVID GARCIA (Marvin Thomas)	91.5	X			
<b>TOTAL</b>		<b>1,876.0</b>	<b>1,771.0</b>	<b>-0-</b>	<b>-0-</b>	<b>105.0</b> [01]

**\*\*PASSED VOTES**