

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Authorizing Negotiation of P.L. 93-638 Contract with the Department of Health
and Human Services; Indian Health Services)

RESOLUTION NO. 96-279

**WHEREAS, the Tohono O'odham Nation is presently operating the FY 1996
contracts with the Indian Health Services; and**

**WHEREAS, such tribal operations have been successful and beneficial to the
Tohono O'odham Nation and its people; and**

**WHEREAS, the Tohono O'odham Nation does desire to re-negotiation the
following contract for provision of services during Fiscal Year 1997:**

- 1. Management of Health Programs**
- 2. Community Health Representative Program and the Community
Counseling and Relatives Services Programs**
- 3. Tohono O'odham Psychological Services**
- 4. Alcohol and Substance Abuse Program**
- 5. Other programs as identified in the Annual Funding Agreement
referred to in Attachment 2**

WHEREAS, the extension of the contract is solely based on funding needs; and

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WHEREAS, the Tohono O'odham Legislative Council finds that the Secretary has historically not provided adequate funding to operate our programs as needed.

NOW, THEREFORE, BE IT RESOLVED by the Tohono O'odham Legislative Council

that:

- 1. The Tohono O'odham Legislative Council does authorize and request the Indian Health Service to extend the Contract with the Tohono O'odham Nation under P.L. 93-638 (as amended) regulations and procedures for the provisions of services:**
 - a. Management of Health Programs**
 - b. Community Health Representative Program and the Community Counseling and Relatives Services Program**
 - c. Tohono O'odham Psychological Services**
 - d. Alcohol Substance Abuse Program**
 - e. Other programs as identified in the Annual Funding Agreement referred to in Attachment 2**

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2. The Chairman is authorized to initiate all available legal remedies in the vent of a Secretarial declination of all or any severable section of the contract.

3. 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 amendment affecting the funding or funding levels of the contract shall be submitted for further prior approval by this Council.

BE IT FURTHER RESOLVED that the duration of this renewal shall commence on October 1, 1996 through September 30, 1996 and the Annual Funding Agreement (AFA) shall be negotiated annually.

BE IT FURTHER RESOLVED that the Secretary of Health and Human Services shall identify and adequately fund the contract listed above, regardless of the source of such funds, except that such allocation shall not negatively impact other proposals for funds from the Tohono O'odham Nation and presently before the Secretary.

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BE IT FURTHER RESOLVED by the Tohono O'odham Legislative Council that the

Tohono O'odham Nation will not fund or operate the programs in the interim while negotiations are still being conducted and no executed contract has been approved by the Indian Health Service, unless the agency authorizes and approves pre-award costs consistent with the Indian Self-Determination Act and amendments.

The foregoing Resolution was passed by the Tohono O'Odham Council on the 10TH day of JULY, 1996 at a meeting at which a quorum was present with a vote 1,876.0 FOR; -0- AGAINST; -0- NOT VOTING; and [04] ABSENT, pursuant to the powers vested in the Council by Article VI, Section 1 (f) 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



Dennis Ramon, Legislative Chairman

11th day of July, 1996

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ATTEST:

Frances Antone

Frances Antone, Legislative Secretary

10th day of *July*, 19*96*

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 11th day of July, 1996 at 8:50 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

Dennis Ramon

Dennis Ramon, Legislative Chairman

APPROVED

on the 11th day of July, 1996

DISAPPROVED

at 8:05 o'clock, P.M.

Edward D. Manuel

EDWARD D. MANUEL, Chairman

TOHONO O'ODHAM NATION

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Returned to the Legislative Secretary on the 12th day of

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

Frances Antone
Frances Antone, Legislative Secretary

ACTION: AUTHORIZING NEGOTIATION OF P.L. 93-638 CONTRACT WITH THE DEPARTMENT OF HEALTH AND HUMAN SERVICES; INDIAN HEALTH SERVICES

MOVED: VICE CHAIRMAN ALEX J. RAMON

SECOND: COUNCILWOMAN FERN SALCIDO

DATE: JULY 10, 1996

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOING	ABSENT
SIF ODAK 160.0	1. MARY ANN ANTONE (Nellie Miguel)	80.0	X			
	2. RITA MARTINEZ (Maxine Norris)	80.0	X			
SELLS 314.0	1. JOSEPH T. JOAQUIN (Allen W. Garcia, Jr.)	157.0	X			
	2. LUCILLE ENCINAS (Cynthia Chico)	157.0	X			X
SCHUK TOAK 117.0	1. KENNETH J. ANTONE ()	58.5	X			
	2. JOSEPH JUAN ()	58.5	X			
SAN XAVIER 142.0	1. DENNIS RAMON ()	71.0	X			
	2. TONY BURRELL ()	71.0	X			
BABOQUIVARI 257.0	1. EDWARD KISTO (Idella Stanley)	128.5	X			
	2. FRANCES MIGUEL (Kenneth Chico, Sr.)	128.5	X			X
GU ACHI 187.0	1. WILLARD ANITA (Louis Johnson)	93.5	X			X
	2. ALEX J. RAMON (Marian Johnson)	93.5	X			
PISINEMO 135.0	1. JOHNSON JOSE (Roseleen Antone)	67.5	X			
	2. BARBARA SALVICIO ()	67.5	X			
SAN LUCY 105.0	1. ALBERT MANUEL, JR. ()	52.5	X			X
	2. JOHN RENO (Mary Hoffman)	52.5	X			
GU VO 134.0	1. ()	67.0	X			
	2. FERN SALCIDO (Larry Montana)	67.0	X			
HICKIWAN 142.0	1. LLOYD FRANCISCO ()	71.0	X			
	2. ALEX JOSE ()	71.0	X			
CHUKUT KUK 183.0	1. KENNETH WILLIAMS ()	91.5	X			
	2. DAVID GARCIA (Marvin Thomas)	91.5	X			
TOTAL		1,876.0	1,876.0	-0-	-0-	[04]

****PASSED VOTES**