

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
**(Opposing the transfer of Bureau of Indian Affairs Law Enforcement/
Tribal Court Functions to Department of Justice)**

RESOLUTION NO. 96-420

WHEREAS, a meeting was held between Attorney General, Janet Reno and Secretary of Interior, Bruce Babbitt regarding the proposed transfer of Bureau of Indian Affairs Law Enforcement/Tribal Court Functions to Department of Justice; and

WHEREAS, both Attorney General, Janet Reno and Secretary of Interior, Bruce Babbitt agreed that such a transfer should occur only if the tribes want it; and

WHEREAS, Herbert A. Becker, Director of the Office of Tribal Justice in the Department of Justice, on June 28, 1996, has requested for positions from tribes; and

WHEREAS, the Tribal Courts of the Tohono O'odham Nation is concerned that such transfer is only another significant step in the gradual and systematic disassembly of the Bureau of Indian Affairs; and

WHEREAS, with the continued weakening and later abolition of the Bureau of Indian Affairs, the United States governmental acknowledgement of the obligations entailed in the trust responsibility to tribes will

RESOLUTION NO. 96-420

**(Opposing the transfer of Bureau of Indian Affairs Law Enforcement/
Tribal Court Functions to Department of Justice)**

Page 2 of 4

become more obscure and thus easier to treat with further
inattention and neglect; and

WHEREAS, it is our belief that the Department of Justice is ill equipped to
forward the United States commitment to its trust responsibility and
government-to-government relationship with tribes; and

WHEREAS, the tribe would risk a stripping of their sovereign powers should
they subject their programs to transfer to the Department of Justice;
and

WHEREAS, the Civil Rights Division and Criminal Division of the Department of
Justice have sought to undermine important legislation and case law
supporting tribal sovereign immunity and have actively supported
efforts to limit tribal jurisdiction; and

WHEREAS, the Tribal Courts of the Tohono O'odham Nation has taken the
position to oppose the transfer as it would not be in the Nation's
best interest.

NOW, THEREFORE, BE IT RESOLVED by the Legislative Council of the Tohono
O'odham Nation that it supports the position submitted by the Tribal

RESOLUTION NO. 96-420

(Opposing the transfer of Bureau of Indian Affairs Law Enforcement/
Tribal Court Functions to Department of Justice)

Page 3 of 4

Courts (Judicial Branch) of the Tohono O'odham Nation.

BE IT FURTHER RESOLVED that transfer of Bureau of Indian Affairs Law
Enforcement/Tribal Court Functions to Department of Justice be
opposed, with the approval and support of the Legislative Council of
the Tohono O'odham Nation.

The foregoing Resolution was passed by the Tohono O'Odham Council on the
11TH day of SEPTEMBER, 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(j) & (l), 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

17th day of September, 1996

ATTEST:



Frances Antone, Legislative Secretary

17th day of September, 1996

RESOLUTION NO. 96-420

(Opposing the transfer of Bureau of Indian Affairs Law Enforcement/
Tribal Court Functions to Department of Justice)

Page 4 of 4

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 17th day of September, 1996 at 5:13 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




Dennis Ramon, Legislative Chairman

APPROVED

on the 19th day of September, 1996

DISAPPROVED

at 9:10 o'clock, U.M.

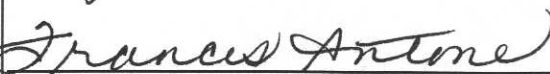


EDWARD D. MANUEL, Chairman

TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 19th day of

September, 1996, at 3:06 o'clock, P.M.



Frances Antone, Legislative Secretary

ACTION: OPPOSING THE TRANSFER OF BUREAU OF INDIAN AFFAIRS LAW ENFORCEMENT/TRIBAL COURT FUNCTIONS TO DEPARTMENT OF JUSTICE

MOVED: COUNCILMAN JOHN RENO

SECOND: COUNCILMAN WILLARD ANITA

DATE: SEPTEMBER 11, 1996

| DISTRICT | LEGISLATIVE REPRESENTATIVES | # OF VOTES | FOR | AGAINST | NOT VOTING | ABSENT |
|----------------------|--|----------------|----------------|------------|------------|-------------|
| SIF OIDAK 160.0 | 1. MARY ANN ANTONE (Nellie Miguel) | 80.0 | X | | | X |
| | 2. RITA MARTINEZ (Maxine Norris) | 80.0 | X | | | |
| SELLS 314.0 | 1. JOSEPH T. JOAQUIN (Allen W. Garcia, Jr.) | 157.0 | X | | | X |
| | 2. LUCILLE ENCINAS (Cynthia Chico) | 157.0 | X | | | |
| SCHUK TOAK 117.0 | 1. KENNETH J. ANTONE () | 58.5 | X | | | X |
| | 2. JOSEPH JUAN () | 58.5 | X | | | |
| SAN XAVIER 142.0 | 1. DENNIS RAMON () | 71.0 | X | | | 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 | | | |
| GU ACHI 187.0 | 1. WILLARD ANITA (Louis Johnson) | 93.5 | 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 | | | |
| | 2. JOHN RENO (Mary Hoffman) | 52.5 | X | | | |
| GU VO 134.0 | 1. GLORIA MONTANA () | 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**