

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Proposed Support of Technical Correction to the
Telecommunications Act of 1996)**

RESOLUTION NO. 97-131

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4 **WHEREAS, the Tohono O'odham Legislative Council finds that access to**
5 **basic and advanced telecommunications services within the**
6 **reservation, and such other geographic areas over which the**
7 **Tohono O'odham Nation (Nation) has civil regulatory**
8 **authority, is of vital importance to the political integrity,**
9 **economic security and health and welfare of the Nation; and**

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12 **WHEREAS, in February 1996, the President of the United States of**
13 **America signed into law the Telecommunications Act of**
14 **1996. This Act, being designed to be procompetitive and**
15 **deregulatory in nature, is a sweeping overhaul of the**
16 **Communications Act of 1934; and**

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18 **WHEREAS, the 1996 Act continues and expands the long-standing**
19 **federal Universal Service policies; and**

20 **WHEREAS, the continued availability of Universal Service support is**
21 **critical to the success of telecommunications carriers**
22 **operating on tribal lands, particularly those carriers owned**
23 **and/or operated by tribes; and**

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25 **WHEREAS, new Section 254(c) of the Act states that "only an eligible**
26 **carrier designated under section 214(c)," will be eligible for**
27 **federal Universal Service support, and state commissions**
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are given the authority to determine what carriers are "eligible" for specific service areas in their state; and

WHEREAS, Section 214(e) does not account for the fact that states do not exercise jurisdiction over tribally owned companies operating on tribal lands, which may or may not be regulated by a tribal authority that is not a state commission *per se*, and that therefore, those carriers cannot be designated eligible carriers by the state and would be ineligible for universal service support even though they may be the carrier of last resort for the tribe, its members and people living within the reservation; and

WHEREAS, the National Telephone Cooperatives Association ("NTCA") and the National Tribal Telecommunications Alliance ("NTTA") have proposed a technical correction to the 1996 Act that remedies this potentially harmful omission without any substantive change in the universal service provisions passed by Congress.

NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council fully supports the efforts of the NTCA and the NTTA and the proposed technical correction, and urges the United

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**States Congress to adopt the proposed correction at the
earliest possible date so that universal service support is not
interrupted when the new universal service system becomes
effective in 1998.**

**The foregoing Resolution was passed by the Tohono O'Odham Legislative
Council on the 11TH. day of APRIL, 1997 at a meeting at which a quorum
was present with a vote of 1,495.0 FOR; -0- AGAINST; 247.0 NOT VOTING;
and 134.0 [08] ABSENT, pursuant to the powers vested in the Council by
Article VI, Section 1(j) 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).**

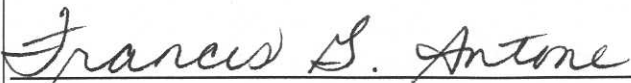
TOHONO O'ODHAM LEGISLATIVE COUNCIL



Dennis Ramon, Legislative Chairman

14th day of April, 19 97

ATTEST:



Francis G. Antone, Legislative Secretary

14th day of April, 19 97.

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(**Proposed Support of Technical Correction to the Telecommunications Act of 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 14th day of April, 1997 at 4:05 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



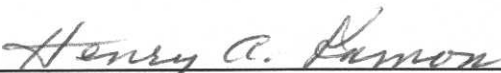
Dennis Ramon, Legislative Chairman

APPROVED

on the 16 day of April, 1997

DISAPPROVED


at 10:55 o'clock, A.M.



EDWARD D. MANUEL, Chairman
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 16th day of

April, 1997, at 1:19 o'clock, P.M.



Frances G. Antone, Legislative Secretary

ACTION: PROPOSED SUPPORT OF TECHNICAL CORRECTION TO THE TELECOMMUNICATIONS ACT OF 1996

MOVED: COUNCILWOMAN MARY ANN ANTONE

SECOND: COUNCILMAN DAVID GARCIA

DATE: APRIL 11, 1997

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 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			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			
	2. TONY BURRELL ()	71.0	X			X
BABOQUIVARI 257.0	1. EDWARD KISTO** (Idella Stanley)	128.5	X			
	2. FRANCES MIGUEL ()	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	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	X
	2. ALEX JOSE ()	71.0			X	
CHUKUT KUK 183.0	1. KENNETH WILLIAMS ()	91.5	X			X
	2. DAVID GARCIA (Marvin Thomas)	91.5	X			
TOTAL		1876.0	1,495.0	-0-	247.0	134.0 [08]

**PASSED VOTES