

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Authorizing Negotiation of the Annual Funding Agreement as cited
in the Master Contract pursuant to P.L. 93-638 Contracts with
the Department of Interior; Bureau of Indian Affairs)**

RESOLUTION NO. 97-331

**WHEREAS, the Tohono O'odham Nation has entered into a master contract
and is presently operating the FY 1997 P.L. 93-638 contracts
with the Bureau of Indian Affairs; 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 have a contract with the
Bureau of Indian Affairs effective 1 October 1996 thru 30
September 1999; and**

**WHEREAS, the Tohono O'odham Nation does desire to re-negotiate the
Annual Funding Agreement for the provision of services during
Fiscal Year 1998 for the following programs:**

- 1. Economic Development (Credit and Finance)**
- 2. Individuals with Disabilities Education Act (IDEA)**
- 3. Higher Education (Scholarships)**
- 4. Johnson O'Malley**
- 5. Law Enforcement**
- 6. Judicial Services**
- 7. Career Center**
- 8. Employment Assistance**
- 9. Water Resources**
- 10. Agriculture Extension**
- 11. Social Services/Family Assistance**
- 12. Children's Home**

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- 13. Adult Group Home**
- 14. Minerec Plan Decommissioning and Remediation**
- 15. Gila River Adjudication**
- 16. Other programs as identified in the Annual Funding Agreement referred to in Attachment 2.**

WHEREAS, the Tohono O’odham Legislative Council finds that the Secretary has historically not provided adequate funding to operate our programs as needed, and requests the Secretary to fund at a 100% level.

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 Bureau of Indian Affairs to extend the Annual Funding Agreement with the Tohono O’odham Nation under P.L. 93-638 (as amended) regulations and procedures for the provision of services:**
 - a. Economic Development (Credit and Finance)**
 - b. Individuals with Disabilities Education Act (IDEA)**
 - c. Higher Education (Scholarships)**
 - d. Johnson O’Malley**
 - e. Law Enforcement**
 - f. Judicial Services**

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- g. Career Center**
 - h. Employment Assistance**
 - i. Water Resources**
 - j. Agriculture Extension**
 - k. Social Services/Family Assistance**
 - l. Children's Home**
 - m. Adult Group Home**
 - n. Minerec Plant Decommissioning and Remediation**
 - o. Gila River Adjudication**
 - p. Other programs as identified in the Annual Funding Agreement referred to in Attachment 2.**
- 2. The Chairman is authorized to initiate all available legal remedies in the event of a Secretarial declination of all or any severable section of the contract.**
 - 3. The Tohono O'odham Nation's Official, to wit: the Chairman and any designated official are hereby authorized to negotiate and execute the contract.**

BE IT FURTHER RESOLVED that the duration of this renewal of the Annual funding Agreement (AFA) shall commence on October 1, 1997 through September 30, 1998 and the Annual Funding Agreement (AFA) shall be negotiated annually.

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BE IT FURTHER RESOLVED that the Secretary of the Interior shall identify and adequately fund the contracts 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.

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 modification has been approved by the Bureau of Indian Affairs, 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 Legislative Council on the 7TH day of AUGUST, 1997 at a meeting at which a quorum was present with a vote of 1,927.0 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



Dennis Ramon, Legislative Chairman

11th day of August, 1997

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ATTEST:


Julianna Saraficio, Acting Legislative Secretary

11th day of August, 19 97.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 11th day of August, 19 97 at 4:23 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

for 
Dennis Ramon, Legislative Chairman

APPROVED

on the 12th day of August, 19 97

DISAPPROVED

at 5:58 o'clock, P.M.



**EDWARD D. MANUEL, Chairman
TOHONO O'ODHAM NATION**

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Returned to the Legislative Secretary on the 13th day of

August, 1997, at 9:16 o'clock, A.M.

**
Julianna Saraficio, Acting Legislative Secretary**

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ACTION: AUTHORIZING NEGOTIATION OF THE ANNUAL FUNDING AGREEMENT AS CITED IN THE MASTER CONTRACT PURSUANT TO P.L. 93-638 CONTRACTS WITH THE DEPARTMENT OF INTERIOR; BUREAU OF INDIAN AFFAIRS

MOVED: COUNCILMAN JOSEPH JUAN

SECOND: COUNCILWOMAN MARY ANN ANTONE

DATE: AUGUST 7, 1997

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
CHUKUT KUK 189.0	1. DAVID GARCIA (Marvin Thomas)	94.5	X			
	2. KENNETH WILLIAMS (Arnold F. Smith Sr.)	94.5	X			
HICKIWAN 146.0	1. ALEX JOSE ()	73.0	X			
	2. LLOYD FRANCISCO (Susan Sam)	73.0	X			
GU VO 142.0	1. FERN SALCIDO (Larry Montana)	71.0	X			
	2. GLORIA MONTANA (Phillip Antone)	71.0	X			X
SAN LUCY 114.0	1. JOHN RENO (Mary Hoffman)	57.0	X			
	2. ALBERT MANUEL, JR. (Jana Montana)	57.0	X			
PISINEMO 139.0	1. BARBARA SALVICIO ()	69.5	X			
	2. JOHNSON JOSE ()	69.5	X			
GU ACHI 190.0	1. LOUIS JOHNSON ()	95.0	X			
	2. ALEX J. RAMON ()	95.0	X			X
BABOQUIVARI 258.0	1. FRANCES MIGUEL ()	129.0	X			
	2. FRANCES G. ANTONE (Edward N. Kisto)	129.0	X			
SAN XAVIER 146.0	1. TONY BURRELL ()	73.0	X			
	2. DENNIS RAMON ()	73.0	X			
SCHUK TOAK 120.0	1. JOSEPH JUAN ()	60.0	X			
	2. AMBROSE ENCINAS ()	60.0	X			
SELLS 322.0	1. LUCILLE ENCINAS (Cynthia Chico)	161.0	X			
	2. EVELYN JUAN (Dennis Jose)	161.0	X			X
SIF OIDAK 161.0	1. RITA MARTINEZ (Maxine Norris)	80.5	X			X
	2. MARY ANN ANTONE (Darlene Andrew)	80.5	X			
TOTAL		1,927.0	1,927.0	-0-	-0-	[04]

**PASSED VOTES