

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Supporting and Urging the Passage of Amendments to the Stafford Act to Allow Tribes
to Request an Emergency or Disaster Declaration)

RESOLUTION NO. 12-416

1 **WHEREAS, the Constitution of the Tohono O'odham Nation vests the Legislative Council with the**
2 **authority "to promote, protect and provide for public health, peace, morals, education**
3 **and general welfare of the Tohono O'odham Nation and its members. . ." and with the**
4 **authority to "consult with the Congress of the United States and appropriate federal**
5 **agencies regarding federal activities that affect the Tohono O'odham Nation. .**
6 **."(Constitution, Article VI, Section 1(c)(2) and Section 1(j)); and**

7 **WHEREAS, the Robert T. Stafford Disaster Relief and Emergency Assistance Act ("Stafford Act")**
8 **authorizes the President of the United States to issue major disaster or emergency**
9 **declarations after catastrophes, resulting in the distribution of federal aid to**
10 **individuals, families, nonprofit organizations, and public agencies; and**

11 **WHEREAS, the Stafford Act only authorizes the governor of a state to request a major disaster or**
12 **emergency declaration following a catastrophic event in that affected state (42 U.S.C.**
13 **§5170); and**

14 **WHEREAS, for years, tribal nations have urged Congress to amend the Stafford Act to recognize**
15 **the government-to-government relationship between the United States and tribal**
16 **nations and allow tribes to independently request a disaster or emergency declaration**
17 **(National Congress of American Indians Resolution #FTL-04-044); and**

18 **WHEREAS, on September 19, 2012, the House of Representatives passed H.R. 2903 the FEMA**
19 **Reauthorization Act of 2012, which includes amendments to the Stafford Act**
20 **authorizing the "Chief Executive of an affected Indian tribal government" to submit**
21 **"a request for a declaration by the President that a major disaster exists. . ."; and**

22 **WHEREAS, in the Senate, S. 2283 includes nearly identical language to the Stafford Act**
23 **amendment in H.R. 2903 authorizing the chief executive of an affected Indian tribal**
24 **government to request an emergency declaration by the President; and**

25 **WHEREAS, the Appropriations Committee and Domestic Affairs Committee recommend**
26 **supporting and urging the passage of either S. 2283 or H.R. 2903 so that tribal nations**
27 **will be recognized on a government-to-government basis under the Stafford Act.**

28 **NOW, THEREFORE, BE IT RESOLVED by the Tohono O'odham Legislative Council that it hereby**
29 **supports and urges the passage of S. 2283, H.R. 2903, or other legislation that would**
30 **amend the Stafford Act to recognize the government-to-government relationship**

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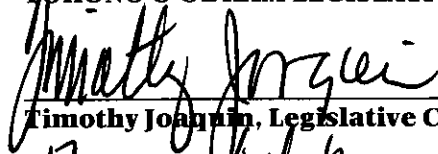
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1 between tribal nations and the federal government and allow tribes to directly request
2 a disaster or emergency declaration from the President of the United States.

3 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 12TH Day
4 of OCTOBER, 2012 at a meeting at which a quorum was present with a vote of 2,780.60 FOR; -0-
5 AGAINST; -0- NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by Article
6 VI, Section 1 (c)(2) and (j) of the Constitution of the Tohono O'odham Nation, adopted by the Tohono
7 O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary -
8 Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48
9 Stat. 984).

TOHONO O'ODHAM LEGISLATIVE COUNCIL



Timothy Joaquin, Legislative Chairman
17 day of October, 2012

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19 ATTEST:

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23 _____
Evonne Wilson, Legislative Secretary

24 17 day of October, 2012.

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27 Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham
28 Nation on the 17 day of October, 2012 at 4:06 o'clock, P.M.,
29 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective
30 upon his approval or upon his failure to either approve or disapprove it within 48 hours of
31 submittal.

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33 TOHONO O'ODHAM LEGISLATIVE COUNCIL



Timothy Joaquin, Legislative Chairman

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42 APPROVED

on the 18th day of October, 2012

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44 DISAPPROVED

at 10:42 o'clock, A.M.



NED NORRIS, JR., CHAIRMAN
TOHONO O'ODHAM NATION

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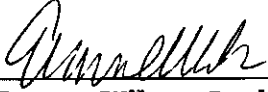
**(Supporting and Urging the Passage of Amendments to the Stafford Act to Allow Tribes to Request an
Emergency or Disaster Declaration)**

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Returned to the Legislative Secretary on the 18 day of

October, 2012, at 11:24 o'clock, a.M.



Evonne Wilson, Legislative Secretary

ACTION: SUPPORTING AND URGING THE PASSAGE OF AMENDMENTS TO THE STAFFORD ACT TO ALLOW TRIBES TO REQUEST AN EMERGENCY OR DISASTER DECLARATION

MOVED: COUNCILWOMAN MARY LOPEZ

SECOND: COUNCILMAN VERNON SMITH

DATE: OCTOBER 12, 2012

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 342.0	1. FRANCES MIGUEL (Roberta Harvey)	171.0	X			X
	2. FRANCES G. ANTONE (<i>Absent</i>) (Vernon Smith)(<i>Present</i>)	171.0	X			
CHUKUT KUK 302.2	1. ETHEL GARCIA (Sara Mae Williams)	151.10	X			
	2. BILLMAN LOPEZ ()	151.10	X			
GU ACHI 244.9	1. TIMOTHY L. JOAQUIN ()	122.45	X			
	2. CYNTHIA E. MANUEL (Louis L. Johnson)	122.45	X			
GU VO 226.7	1. GRACE MANUEL (Floyd Flores)	113.35	X			X
	2. PAMELA ANGHILL (Roselda Lewis)	113.35	X			
HICKIWAN 186.3	1. LOUIS R. LOPEZ (Michelle Ortega)	93.15	X			
	2. SANDRA ORTEGA ()	93.15	X			X
PISINEMO 200.7	1. CHESTER ANTONE (Tony Murrietta)	100.35	X			
	2. EDWARD MANUEL (Gerald Fayuant)	100.35	X			
SAN LUCY 204.6	1. LORRAINE EILER ()	102.30	X			
	2. JANA MONTANA (Gloria Ramirez)	102.30	X			
SAN XAVIER 215.8	1. HILARION CAMPUS (<i>Absent</i>) (Racheal Vilson-Stoner)(<i>Present</i>)	107.90	X			
	2. OLIVIA VILLEGAS-LISTON (Eugene Enis)	107.90	X			
SCHUK TOAK 169.8	1. FRANCES B. STEPHENS (Anthony J. Rios)	84.90	X			
	2. FREDERICK JOSE (Phyllis Cachora)	84.90	X			
SELLS 475.7	1. ARTHUR WILSON (Kimberly Mull)	237.85	X			
	2. EVELYN B. JUAN MANUEL ()	237.85	X			
SIF OIDAK 211.9	1. NICHOLAS JOSE ()	105.95	X			
	2. MARY LOPEZ ()	105.95	X			
TOTAL		2,780.60	2,780.60	-0-	-0-	[03]