

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Approval of Memorandum of Understanding between the Tohono O'odham Nation**  
**and the United States Immigration and Customs Enforcement)**

**RESOLUTION NO. 12-440**

1 **WHEREAS, the Tohono O'odham Nation (the Nation) seeks to enter into a Memorandum of**  
2 **Understanding (MOU) with the United States Immigration and Customs Enforcement**  
3 **(ICE) on behalf of the Nation's Police Department; and**

4 **WHEREAS, this MOU will allow for sworn Law Enforcement personnel to perform certain ICE**  
5 **duties pursuant to section 401(l), Tariff Act of 1930, as amended, (19 U.S.C. 1401 (i), the**  
6 **Secretary of Homeland Security or his/her designee is authorized to designate persons**  
7 **as Customs Officers (Excepted) who are designated to perform the duties of an ICE**  
8 **Officers. The designated Customs Officers will have the authority to enforce "Customs"**  
9 **laws; and**

10 **WHEREAS, this agreement does not grant the designated Customs Officers the authority to**  
11 **enforce "Immigration" laws; and**

12 **WHEREAS, the attached MOU has been reviewed by the Domestic Affairs Committee which**  
13 **recommends Legislative Council approval.**

14 **NOW, THEREFORE, BE IT RESOLVED by the Tohono O'odham Legislative Council that it hereby**  
15 **approves the Memorandum of Understanding between the Tohono O'odham Nation**  
16 **and the United States Immigration and Customs Enforcement to allow Law**  
17 **Enforcement personnel to enforce ICE duties substantially in the form attached**  
18 **hereto; and hereby authorizes the Chairman of the Nation to sign and execute the MOU**  
19 **with the United States Immigration and Customs Enforcement.**

20 **BE IT FURTHER RESOLVED that this MOU will be effective for five years from date of signature from**  
21 **the Nation and the US Immigration & Customs Enforcement.**

22 **BE IT FINALLY RESOLVED by the Tohono O'odham Legislative Council authorizes the Chairman**  
23 **and the Nation's Police Department to fully implement the MOU provided that any**  
24 **amendments shall be submitted for full approval by the Tohono O'odham Legislative**  
25 **Council.**

26 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 06<sup>TH</sup> Day**  
27 **of NOVEMBER, 2012 at a meeting at which a quorum was present with a vote of 2,780.60 FOR; -0-**  
28 **AGAINST; -0- NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by Article**  
29 **VI, Section 1 (c)(2) and 1(f) of the Constitution of the Tohono O'odham Nation, adopted by the**  
30 **Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**  
31 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**  
32 **18, 1934 (48 Stat. 984).**

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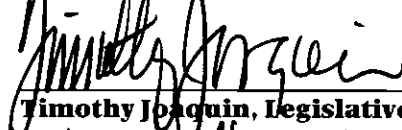
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TOHONO O'ODHAM LEGISLATIVE COUNCIL

  
Timothy Joaquin, Legislative Chairman

13 day of November, 2012

ATTEST:

  
Evonne Wilson, Legislative Secretary

9 day of November, 2012.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 13 day of November, 2012 at 11:33 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

  
Timothy Joaquin, Legislative Chairman

APPROVED

on the 13 day of November, 2012

DISAPPROVED

at 12:44 o'clock, P.M.

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

Returned to the Legislative Secretary on the 13 day of

November, 2012, at 2:24 o'clock, P.M.

  
Evonne Wilson, Legislative Secretary

**ACTION: APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN THE TOHONO O'ODHAM NATION AND THE UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT**

**MOVED: COUNCILWOMAN ETHEL GARCIA**

**SECOND: COUNCILWOMAN CYNTHIA E. MANUEL**

**DATE: NOVEMBER 06, 2012**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>BABOQUIVARI</b> 342.0	1. FRANCES MIGUEL (Roberta Harvey)	171.0	X			
	2. FRANCES G. ANTONE (Vernon Smith)	171.0	X			
<b>CHUKUT KUK</b> 302.2	1. ETHEL GARCIA (Sara Mae Williams)	151.10	X			
	2. BILLMAN LOPEZ ( )	151.10	X			
<b>GU ACHI</b> 244.9	1. TIMOTHY L. JOAQUIN ( )	122.45	X			
	2. CYNTHIA E. MANUEL (Louis L. Johnson)	122.45	X			
<b>GU VO</b> 226.7	1. GRACE MANUEL (Floyd Flores)	113.35	X			
	2. PAMELA ANGHILL (Roselda Lewis)	113.35	X			X
<b>HICKIWAN</b> 186.3	1. LOUIS R. LOPEZ (Michelle Ortega)	93.15	X			
	2. SANDRA ORTEGA ( )	93.15	X			
<b>PISINEMO</b> 200.7	1. CHESTER ANTONE ( <i>Absent</i> ) (Tony Murrietta) ( <i>Present</i> )	100.35	X			
	2. EDWARD MANUEL (Gerald Fayuant)	100.35	X			
<b>SAN LUCY</b> 204.6	1. LORRAINE EILER ( )	102.30	X			
	2. JANA MONTANA (Gloria Ramirez)	102.30	X			
<b>SAN XAVIER</b> 215.8	1. HILARION CAMPUS (Racheal Vilson-Stoner)	107.90	X			
	2. OLIVIA VILLEGAS-LISTON (Eugene Enis)	107.90	X			
<b>SCHUK TOAK</b> 169.8	1. FRANCES B. STEPHENS (Anthony J. Rios)	84.90	X			
	2. FREDERICK JOSE (Phyllis Cachora)	84.90	X			
<b>SELLS</b> 475.7	1. ARTHUR WILSON (Kimberly Mull)	237.85	X			
	2. EVELYN B. JUAN MANUEL ( )	237.85	X			
<b>SIF OIDAK</b> 211.9	1. NICHOLAS JOSE ( )	105.95	X			X
	2. MARY LOPEZ ( )	105.95	X			
<b>TOTAL</b>		<b>2,780.60</b>	<b>2,780.60</b>	<b>-0-</b>	<b>-0-</b>	<b>[02]</b>