

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Opposition to BIA/IHS Memorandum of Agreement establishing
minimum standards for Child Protective Services)

RES. NO. 322-87

1 WHEREAS, the Assistant Secretary of Indian Affairs and the Director of Indian
2 Health Service has exceeded their authority in attempting to mandate
3 "minimum standards" of Child Protective Services for the Tohono
4 O'Odham Nation; and
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6 WHEREAS, the Tohono O'Odham Nation has established Child Protective Service
7 law, procedures, responsibilities and reporting requirements which do
8 not include the concepts contained in the Memorandum of Agreement; and
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10 WHEREAS, it is within the realm of tribal sovereignty to determine minimum
11 standards of Child Protective Service; and
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13 WHEREAS, the Tohono O'Odham Health and Human Service Legislative Committee has
14 reviewed this proposed position paper and recommends to the Tohono
15 O'Odham Legislative Council to seek endorsement from the National
16 Congress of American Indians (NCAI).
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18 NOW, THEREFORE, BE IT RESOLVED that the Tohono O'Odham Legislative Council does
19 not consider the Memorandum of Agreement entered into by the Assistant
20 Secretary of Indian Affairs and the Director of Indian Health Service
21 as binding on the Tohono O'Odham Nation.
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23 BE IT FURTHER RESOLVED that the Tohono O'Odham Nation will continue to provide
24 Child Protective Services according to established Tohono O'Odham
25 National laws and policy.
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27 BE IT FURTHER RESOLVED that the Tohono O'Odham Legislative Council does endorse
28 this resolution in opposition to BIA/IHS Memorandum of Agreement
29 establishing minimum standards for Child Protective Services and seeks
30 support of the National Congress of American Indians on this matter.
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32 The foregoing resolution was passed by the Tohono O'odham Council on the 15th
day of September, 1987, at a meeting at which a quorum was present with a vote
of 1640.0 for; -0- against; -0- not voting; and 02 absent, pursuant to the
powers vested in the Council by Section 1 (c)(2) of Article VI of the Constitu-
tion 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).

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TOHONO O'ODHAM LEGISLATIVE COUNCIL

Harriet Toro
Harriet Toro, Legislative Chairperson
16th day of September, 19 87.

ATTEST:

Teresa M. Choyguha
Teresa M. Choyguha, Legislative Secretary
16th day of September, 19 87.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 17th day of September, 19 87, at 2:14 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

Harriet Toro
Harriet Toro, Legislative Chairperson

APPROVED) on the 18th day of Sept., 19 87, at
 DISAPPROVED) 1:55 o'clock, P.M.

Enos J. Francisco, Jr.
ENOS J. FRANCISCO, JR., Chairman
TOHONO O'ODHAM NATION

Returned to Legislative Secretary on the 18th day of September, 19 87,
at 4:20 o'clock, A.M.

Teresa M. Choyguha
Teresa M. Choyguha
Legislative Secretary

MOVED: HENRY RAMON

SUBJECT: OPPOSITION TO B&A/IHS MOA ESTABLISHING
MINIMUM STANDARDS FOR CHILD PROTECTIVE
SERVICES

SECOND: LLOYD FRANCISCO

DATE: SEPTEMBER 15, 1987

RESOLUTION ~~OR~~ ~~ORDINANCE~~ # 322-87

DISTRICTS	REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF Oidak 138.0	1. Nicholas Jose (Letitia Garcia) 2. Willard Juan, Sr. (Melissa Gregorio)	69.0 69.0	X X			
SELLS 257.0	1. Andrew Patricio (Daniel Lopez) 2. Fred Stevens ()	128.5 128.5	X X			X
SCHUK TOAK 105.0	1. Julia Carrillo (JoAnn Francisco) 2. Joseph Juan (Frances Francisco)	52.5 52.5	X X			
SAN XAVIER 126.0	1. Eugene Enis (Michael Rios) 2. Tony Felix (Carmelita Mattias)	63.0 63.0	X X			
BABOQUIVARI 241.0	1. Kenneth Chico, Sr. () 2. Joann Garcia (Frances Miguel)	120.5 120.5	X X			X
GU ACHI 158.0	1. Percy Lopez () 2. Fernando Joaquin ()	79.0 79.0	X X			
PISINEMO 116.0	1. Johnson Jose () 2. Edward Manuel (Alex Antone)	58.0 58.0	X X			
SAN LUCY 85.0	1. Max Jose (Dewey Ortega) 2. John Reno ()	42.5 42.5	X X			
GU VO 117.0	1. Virgil Lewis (Roy Montana) 2. Cross Antone (Juan Joe Cipriano)	58.5 58.5	X X			
HICKIWAN 128.0	1. Henry Ramon (Billy Manuel) 2. Lloyd Francisco (Eleanor Santos)	64.0 64.0	X X			
CHUKUT KUK 169.0	1. Rosita Ruiz (Rosemary Lopez) 2. Harriet Toro (Marvin Thomas)	84.5 84.5	X X			
TOTALS		1640.0	1640.0	-0-	-0-	02