

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Tohono O'odham Psychological Services Legal Budget [Mod.#1])

RES. NO. 267-89

1 WHEREAS, the Legislative Council of the Tohono O'odham Nation did  
2 by Resolution No. 356-88 appropriate the use of \$63,000  
3 of the General Fund to support the legal fees and  
4 miscellaneous expenses related to the appeal on the  
5 record; and

6 WHEREAS, the Tohono O'odham Nation requested a Hearing protesting  
7 the Indian Health Service's August 12, 1988 decision to  
8 rescind the Tohono O'odham Psychological Services (TOPS)  
9 contract; and

10 WHEREAS, the Administrative Law Judge of the Department of Health  
11 and Human Services Departmental Appeals Board has  
12 concluded and has submitted a recommended decision in  
13 this case (Docket No. C-84 of 30 June 1989), ruling that  
14 the Indian Health Service "... improperly rescinded the  
15 psychological service component of its behavioral health  
16 services contract with Appellant" (Nation); and

17 WHEREAS, the Tohono O'odham Legislative Council does hereby  
18 accept the decision of the Appeals Board to be final;  
19 and

20 WHEREAS, the Nation does retain the services of HOBBS, STRAUS,  
21 DEAN and WILDER in its appeal of the IHS' declination of  
22 the fiscal year 1988-89 Tohono O'odham Psychological  
23 Services Program.

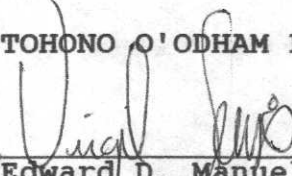
24 NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legis-  
25 lative Council does hereby authorize the existing Tohono  
26 O'odham Psychological Services Legal budget to be  
27 modified to appropriate additional funds in the amount  
28 not to exceed \$132,106.61 .

29 BE IT FURTHER RESOLVED that the funds appropriated shall only be  
30 expended in accordance with the attached revised budget,  
31 additional expenditures shall not be incurred without  
32 prior approval or appropriations by this Council.

1 BE IT FURTHER RESOLVED that the Chairman and Vice Chairman of the  
 2 Legislative Health and Human Services Committee (Alex  
 3 Ramon and Percy Lopez), the Chairwoman of the Health  
 4 Board (Sharmain Garcia), Director of the Tohono O'odham  
 5 Health Department (Ed Hansen), Representatives of the  
 6 Grants and Contracts Office (Ora Campillo and Luke  
 7 Abrams), Chairman of the Legislative Council (Edward D.  
 8 Manuel) and Chairman of the Tohono O'odham Nation  
 9 (Angelo Joaquin, Sr.) or their delegates, are hereby  
 10 authorized to represent the Nation, with Legal Counsel,  
 11 to begin deliberations towards a favorable conclusion in  
 12 the Nation's appeal. The authority of this delegation  
 13 shall be limited so that all final decisions in behalf  
 14 of the Nation will be acted on by the Legislative  
 15 Council. In any case, the delegation is to report to  
 16 the Legislative Council at its September 1989 General  
 17 Session.

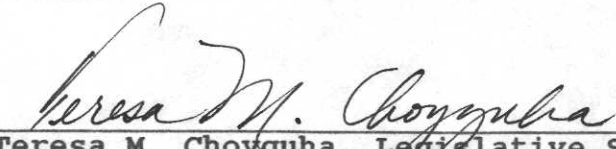
18 The foregoing Resolution was passed by the Tohono O'odham Council  
 19 on the 19th. day of July, 1989 at a meeting at which a quorum  
 20 was present with a vote of 1,564.5 for; 53.5 against; -0- not  
 21 voting; and 106.0 (05) absent, pursuant to the powers vested in  
 22 the Council by Section 1 (b) & (d) (3) of Article VI of the  
 23 Constitution of the Tohono O'odham Nation, adopted by the Tohono  
 24 O'odham Nation on January 18, 1986, and approved by the Acting  
 25 Deputy Assistant Secretary -Indian Affairs (Operations) on March  
 26 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48  
 27 Stat. 984).

TOHONO O'ODHAM LEGISLATIVE COUNCIL

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 For  Edward D. Manuel, Legislative Chairman

20th day of July, 19 89.

ATTEST:

  
Teresa M. Choyguha, Legislative Secretary

20th day of July, 19 89.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 20<sup>th</sup> day of July, 1989, at 5:15 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

[Signature]  
for Edward D. Manuel, Legislative Chairman

[  ] APPROVED ) on the 21 day of July, 1989,  
[  ] DISAPPROVED ) at 1:00 o'clock, P.M.

[Signature]  
ANGELO J. JOAQUIN SR., Chairman  
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 21<sup>st</sup> day of July, 1989, at 1:26 o'clock, P.M.

[Signature]  
Teresa M. Choyguha  
Legislative Secretary

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MOVED: Virgil Lewis

SUBJECT: Tohono O'odham Psychological

SECOND: Eugene Enis, Sr.

Services Legal Budget [Modification #1]

DATE: July 19, 1989

RESOLUTION NO. 267-89

DISTRICTS	REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
CHUKUT KUK 163.0	1. Rosita Ruiz (Rosemary Lopez)	81.5	X			
	2. Kenneth G. Williams (Harriet Toro)	81.5	X			X
HICKIWAN 125.0	1. Lloyd Francisco (Billy C. Manuel)	62.5	X			
	2. Henry Ramon ( )	62.5	X			
GU VO 114.0	1. Cross Antone (Juan Joe Cipriano)	57.0	X			
	2. Virgil Lewis (Michael Flores)	57.0	X			
SAN LUCY 106.0	1. John Reno ( )	53.0				X
	2. Albert Manuel, Jr. (Max P. Jose)	53.0				X
PISINEMO 119.0	1. Edward Manuel (Alex Antone)	59.5	X			
	2. Johnson Jose ( )	59.5	X			
GU ACHI 166.0	1. Alex J. Ramon (Fernando Joaquin)	83.0	X			
	2. Percy Lopez ( )	83.0	X			
BABOQUIVARI 229.0	1. Joann Garcia [PV] (Frances Miguel)	114.5	X			
	2. Earl A. Francisco (Kenneth Chico, Sr.)	114.5	X			
SAN XAVIER 127.0	1. Joanne C. Preston (Carmelita Mattias)	63.5	X			
	2. Eugene Enis, Sr. (Michael Rios)	63.5	X			
SCHUK TOAK 107.0	1. Joseph Juan (Frances Francisco)	53.5	X			
	2. JoAnn Francisco (David Valenzuela Sr.)	53.5		X		
SELLS 310.0	1. Joseph T. Joaquin (Larry Garcia)	155.0	X			
	2. Andrew Patricio (Daniel Lopez)	155.0	X			X
SIF OIDAK 158.0	1. Willard Juan, Sr. (Melissa Gregorio)	79.0	X			
	2. Mary Ann Antone (Nina Jose)	79.0	X			X
TOTAL		1,724.0	1,564.5	53.5	-0-	106.0